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April 7, 2009

Via Hand Delivery

Mr. Stephen Gardner, Project Manager
Loudoun County Department of Planning
1 Harrison Street, SE, Third Floor
Leesburg, VA 20177

Re: West Spine Plaza – Third Referral Response (SPEX 2007-0029)

Dear Mr. Gardner:

Sarswati, LLC (hereinafter the “Applicant”) provides this letter as a third written response to the referral agency comments in the above referenced application.

In summary, the Applicant would like to thank Staff for their continued cooperation in the redesign of this 20 acre CLI-zoned property. The Applicant is pleased with the fact that the project has a defined presence on Route 50 with a 100 foot landscape buffer that conforms to the Route 50 Corridor Design Guidelines. Further, through this interaction, the project has been redesigned to be more pedestrian oriented yet still meets the important market demands for the area.

On March 12, 2009, the Applicant met with Community Planning Staff to discuss outstanding, yet unwritten, referral comments. Two issues remained outstanding with Community Planning Staff: 1) Compliance with the Revised General Plan Business Community guidelines; and 2) Layout of the eastern portion of the property and its perceived lack of conformance with the Route 50 Corridor Design Guidelines. The Applicant disagrees with Staff on both of these points and provides justification for its positions below.

1) In order to exceed 10 percent retail in the Business Community, five criteria must be met. Community Planning Staff believes the Applicant complies with three of the five criteria, but two criteria are interpreted to be unmet. Those criteria are as follows:

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The retail use provides the goods and services needed by local employment and residential communities and/or supports the development of tourism in the Route 50 corridor.

and

The retail use is compatible with and can illustrate a coordinated design, transportation connection or other relationship with the surrounding communities that exist or have been approved.

To address the first criteria, the Applicant provided a market survey of built or under construction restaurants and gas stations in the Route 50 corridor prepared by S. Patz & Associates, Inc. and dated January 7, 2009. This market review states that additional quality restaurants could be attracted to this location and that prospects are good for a new gas station in this growth area of the county. The information contained in this market survey supports the point that the local population would patronize these establishments. The market survey is further strengthened by the approved retail uses in the Route 50 corridor. The table below shows the approved retail uses in the Route 50 corridor. Given the large amount of approved retail, only a small portion includes gas station uses. It is assumed that numerous restaurants will be included within the approved retail square footage. What is not shown in the table below are the additional factors that will contribute to the market viability of the proposed restaurants and gas station, including: the amount of existing residential developments that are currently underserved in the Route 50 corridor; the residential units that will be developed as part of these approved developments; the residential units that will be developed as part of other approved developments; and the future by-right residential units that will be developed. All of these residential units will provide additional support for the proposed uses.

Route 50 Corridor Approved Retail				
Development	Zoning District	Acreage	Approved Retail Square Footage	Approved Gas Stations
Arcola Center, The Shops	PD-CC-RC	128.9	750,000	1
Dulles Landing	PD-CC-RC	80.2	800,000	0
Glascok	PD-OP	79.5	0	0
Community Corner	PD-CC-CC	10	52,800	0
South Riding Market Square II	PDH-4	41	387,300	0
CLI Zoning District	CLI	865	N/A	3 (Approved and Built)

Additionally, by locating a gas station and neighborhood retail uses within West Spine Plaza, residents from nearby residential developments located south of Route 50 and along the Route 659 corridor will not be required to access Route 50 for gas and minor retail needs. This will reduce the need for local trips to access Route 50.

To address the second criteria, the Applicant is proposing uses on the west side of the property that are compatible with the existing and approved uses directly to the north and south. These uses are connected by South Point Drive and inter-parcel connections between the adjacent properties.

To the north, Gum Spring Village Center is located on approximately 12 acres and has been approved for the following uses: automotive service station; bank or financial institution, with or without drive-through facilities; convenience food store with or without gas pumps; car wash; personal service establishment; restaurant; and retail sales establishment. Much of the first phase of this project is built. The second phase of this project may commence once South Point Drive connects to the West Spine Road. The Applicant proposes to construct the extension of South Point Drive to the West Spine Road as part of the proposed development.

To the south, Community Corner is located on approximately 10 acres and has been approved for the following uses: two bank or financial institutions; restaurant, with drive-through facilities; pharmacy; office; and retail sales establishment. Given these uses, in particular the office/retail and bank uses that will occupy the west side of the West Spine Road immediately south of the West Spine Plaza property, it is contrary for Staff to take the position that the Community Corner application meets the Business Community criteria for exceeding 10 percent retail and the West Spine Plaza does not. To further emphasize this point, an excerpt from the Board of Supervisors Staff Report for Community Corner states the following:

As proposed, the application proposes six commercial pad sites consisting of two banks with drive thru facilities, a fast food restaurant with drive thru facilities (subject of the proposed Special Exception), a pharmacy, and two office / retail buildings, all of which could be defined as commercial retail and service uses. As such, these uses are consistent with hybrid retail. However, the Plan specifies that commercial retail and services uses should be limited to a maximum of ten-percent (10%) of the land use mix, whereas the majority, a minimum of fifty-percent (50%), of the land area should be devoted to regional office. The proposed land use mix, dominated by commercial retail and service uses, is not consistent with the land use mix for a business community.

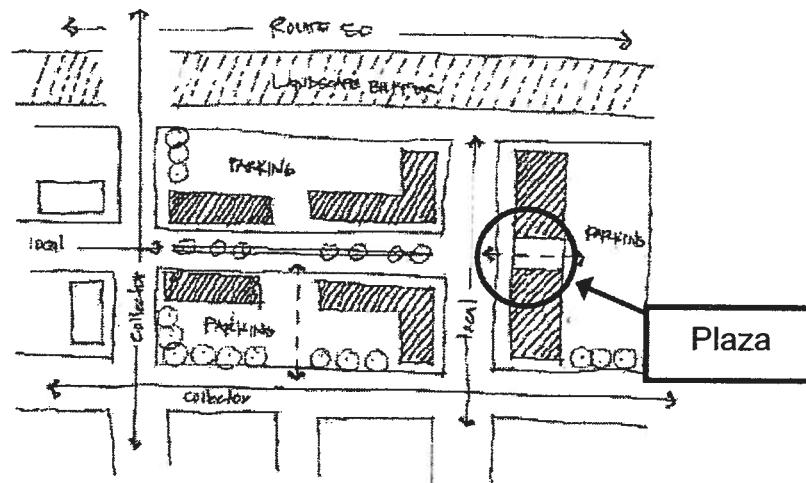
Conversely, the Plan will support commercial retail and service uses that exceed the ten-percent (10%) maximum recommended in the land use mix for business communities when certain criteria have been met, including the following: 1) The commercial retail and service use provides goods and services that are supportive of local employment and residential communities; 2) The commercial retail and service use is compatible with and includes linkages to adjoining communities; 3) The commercial retail and service use does not access Route 50 directly; and 4) Adequate and appropriate transportation infrastructure has been provided. In this case, the proposed commercial retail and service uses are intended to support adjacent residential neighborhoods, no direct access onto Route 50 is proposed, proffered roadway improvements include the construction of a portion of Tall Cedars Parkway through the site, and the application proposes non-vehicular transportation connections (i.e. shared use path) to adjacent residential neighborhoods.

2) To address the site design and layout of the eastern portion of the property, the Applicant consulted with Staff and applied the design principles of the Route 50 Corridor Design Guidelines to the updated layout of the eastern portion of the property. Prior to submitting the updated layout in the second referral response package, the Applicant submitted a sketch plan of the layout to Staff for review. Through the Applicant's interaction with Staff, there was no indication that the layout would receive additional requests for major layout revisions. Therefore, based on Staff's initial review of the updated layout, and the layout's conformance with the intentions of the Route 50 Corridor Design Guidelines, the Applicant submitted the updated layout as part of the second referral response package.

It is the Applicant's belief that the proposed layout of the eastern portion of the property conforms to the Route 50 Corridor Design Guidelines. A few of the guidelines that support the proposed layout design are included below.

Development Patterns

*Pg. 29, #2 – Plaza: A Central Plaza is the core element of the Plaza Pattern. Buildings are arranged to define a central plaza. Parking is located behind buildings and screened by landscaping. Pedestrian Connections are provided to parking, across roadways, and neighboring development. **A variation on the plaza pattern would be to locate the plaza at the end of a street to create a terminating view.***



1 Main Street Pattern

Site Design

Pg. 30 – The Placement of site elements is essential to their function and contributes to the quality of new and neighboring development.

Building Arrangement

Pg. 30, #1 – The primary elevation of a building should be oriented to main roadways with automobile access to the side and back of the building.

Pg. 31, #4 – Use a compact building arrangement to encourage pedestrian circulation. Align buildings at the sidewalk edge to reinforce a pedestrian zone. Provide breaks in large buildings at a distance no greater than 400' to create pedestrian paths.

Pg. 31, #6 – Arrange building to frame a common square or plaza. Consider the relationship of buildings to open space when composing building arrangements. In a mixed-use development, appropriately scaled plazas can function as a transition or public amenity. Building arrangement can be used to frame a significant view. Compose buildings to create a visual termination at a notable structure or landscape feature.

Streetscape

Pg. 32, #1 – Compose buildings and landscape to define the streetscape. Align buildings at the edge of the sidewalk to create a contiguous street wall. A portion of the wall, up to 25%, may be recessed to define a courtyard or building entrance.

Parking

Pg. 34, #1 – Create a parking plan that uses a variety of parking types to meet demand. Verify parking demand and provide for average parking needs in the immediate building area. Use overflow lots for peak parking needs in less visible locations. Consider shared parking plans between adjoining properties that do not share peak parking demand hours.

Pg. 34, #2 – Locate a portion of parking out of view. Large parking areas should not front on main roadways. Provide a limited amount of parking between the building and street with overflow parking at the side and back. When parking is placed along a roadway, provide a low wall or fence to define the edge of the parking area.

Pg. 34, #3 – Reduce the scale and impact of parking areas. Large surface parking lots should be divided into smaller, multiple lots to reduce their visual impact. Portions of parking may be screened by buildings, screen walls and landscape.

Pg. 35, #4 – Consider pedestrian use in and around parking areas. Provide for pedestrian circulation by creating paths and crosswalks from parking areas to the main entrance. Consider pedestrian paths and connections to neighboring development when planning parking.

Pg. 35, #5 – Use landscape to screen and buffer parking areas. Provide a landscape buffer at the perimeter to screen parking areas from the street and adjacent developments. Provide shade trees in parking areas and at pedestrian paths. Avoid isolated single trees, a group of trees or planted aisle is more effective.

Pg. 35, #6 – Consider a combination of screening devices to conceal parking areas. Building arrangement can effectively screen parking from roadways. Site walls provide screening and reinforce the street edge. Dense, low-level landscaping or berms screen parking areas and allow for uninterrupted views.

As listed above, in a variation of the *Main Street Pattern*, the plaza can be placed at the end of a street to create a terminating view. On the eastern portion of the site, there is no local street that will connect beyond the West Spine Road to the west. Due to this fact, the eastern portion of the property has been designed to incorporate future development that may occur on adjacent properties to the east of the site. This portion of the site has also been designed to reflect the uniqueness of the triangular parcel that has been formed by the West Spine Road. The only access to this portion of the site is from South Point Drive to the south. As South Point Drive extends eastward, it may very likely extend north

to access properties abutting Route 50. If this is the case, the proposed buildings will help frame South Point Drive and create a terminus plaza for a potential main street that may connect properties to the east.

The proposed design allows buildings to front onto the primary road, Route 50, while placing the majority of parking to the rear and out of sight from Route 50 and behind the tree save and landscaped areas. The parking that does remain allows for fire and rescue access to all four sides of the proposed buildings, addresses the minimum amount of parking spaces – as required by the zoning ordinance – to accommodate the proposed uses, and provides a more efficient double-stacked parking area. Additionally, the location of buildings in close relationship to one another, as well as the adequate provision of pedestrian sidewalks and trails that interconnect the buildings and adjacent properties, encourages pedestrian movement between the buildings.

Theoretically, if the site were a large square with ample acreage and numerous road connections, the proposed design would likely fully comply with the abstract Route 50 corridor design guidelines. Given the unique and difficult site conditions, the proposed layout has taken many elements of the guidelines and incorporated them into the project's design. Through this extensive design exercise, it is the Applicant's belief that the proposed design conforms to the intentions of the Route 50 Corridor Design Guidelines.

Based on the West Spine Plaza community meeting with local citizens, held on March 9, 2009, the Applicant would be agreeable to design and landscaping conditions that address the concerns mentioned by the meeting participants listed below.

- Add landscaping and fencing along the Meadows property line, that does not conflict with the existing water line easement, to screen the landscaping operation that currently exists on the adjacent property;
- Add landscaping and fencing around the flex-industrial and gas station uses; and
- Add façade design standards similar to what has previously been discussed between Staff and the Applicant.

To address the remainder of the third referral comments, each Staff comment is listed below followed by the Applicant's responses in bold italics.

LOUDOUN COUNTY DEPARTMENT OF BUILDING AND DEVELOPMENT (CINDY LINTZ, PLANNER, 2/5/09)

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I. Zoning Administration Comments

1. The Statement of Justification, page 1, the second sentence "In addition to the proposed special exception uses..." should be removed.

Applicant Response:

The Statement of Justification has been revised accordingly.

2. Sheet 1, Note #1, remove the by-right uses.

Applicant Response:

The plat has been revised accordingly.

3. Sheet 1, Note #1, if a convenient store is being proposed for building "F", then in the proposed uses on Sheet 1, "Convenient food store without gas pump" should be included.

Applicant Response:

A convenience store is not proposed for Building "F", but one will be included in Building "B". Therefore, the note on Sheet 1 will remain the same.

4. Sheet 1, under Area Tabulations, the landscape open space provided should be updated. If the buildable area is 539,250, then $131,705/539,250=0.24$.

Applicant Response:

The plat has been revised accordingly.

5. Sheet 2, label the reservation area shown on Sheet 1.

Applicant Response:

The plat has been revised accordingly.

6. Sheet 2, 2A, 4 and 4A, the signs shown on the plat require a separate sign permit. Therefore, the signs shown on the plats do not guarantee this type of sign or the sign location if this application is approved.

Applicant Response:

Comment noted.

7. Sheet 2, 2A, 4 and 4A, as stated in the previous set of comments, it appears that the 8' proposed asphalt trail is included in the future abandoned area of old Route 659. It is premature to include the trail in the abandoned area.

Applicant Response:

This trail has been removed from the abandoned area of old Route 659.

8. Sheet 2A, the Special Exception area should include access to the use and parking. The drive way to the bank and building F should be included in the Special Exception Uses (hatch mark) up to the easement.

Applicant Response:

The special exception area has been revised to include the drive way to the bank and the access way abutting Building "F".

9. Sheet 3, please remove the note of a Type 2 landscape buffer on Existing Conditions sheet.

Applicant Response:

The plat has been revised accordingly.

10. Sheet 4, please clarify the tree save area. It appears to include more than just an enhancement.

Applicant Response:

The notes pertaining to the tree save area have been revised to further clarify the intent for this area.

11. Update Community Corner (PIN 204-10-2931) to CLI/PD-CC-CC. Community Corner has both PD-CC-CC and CLI on the parcel. Also update Community Corner (PIN 204-19-8672). The R-1 zone no longer exists on those parcels. Please revise all sheets.

Applicant Response:

The plat has been revised accordingly.

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12. Please include the square footage of the deck on building "C" – restaurant for all applicable sheets.

Applicant Response:

The plat has been revised accordingly.

LOUDOUN COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY MANAGEMENT (MARIA FIGUEROA TAYLOR, FIRE-RESCUE PLANNER, 2/10/09)

Staff has no comments.

Applicant Response:

Comment noted.

LOUDOUN COUNTY OFFICE OF TRANSPORTATION SERVICES (LOU MOSURAK, SENIOR TRANSPORTATION PLANNER, 3/17/09)

Current Issue Status #1: OTS staff appreciates the Applicant's willingness to consider the phasing of site development to allow time for the surrounding road network to be constructed; Completion of the West Spine Road will result in significantly improved access to the site.

From the updated traffic study, OTS staff understands that under Alternative 1 (Phase 1), development on the site would be limited to the SPEX development program proposed for the area west of the future West Spine Road. However, the updated study's trip generation table (*Attachment 4*) compares full by-right buildout of the site (both east and west of the West Spine Road) with only the portion of the proposed SPEX development program that would be located west of the West Spine Road. A comparison of equivalent amounts of by-right vs. SPEX development should be provided, and LOS comparisons for Alternative 1 (Phase 1) should be based on these amounts. Regardless, a phasing condition of approval that limits development to a portion of the overall SPEX program until the West Spine Road is completed needs to be discussed with the Applicant and included with the application. Further discussion on this matter is necessary.

Applicant Response:

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The west side of the property consists of approximately 184,889 S.F. (or 4.24 acres) of land, 30,537 S.F. of which is dedicated for South Point Drive. Based on the remaining 154,352 S.F. (or 3.54 acres), the site could support approximately 46,300 S.F. of development at 0.30 FAR, as specified in the County zoning ordinance. Development of approved uses within this space would generate fewer trips when compared to the special exception uses. However, as noted in the traffic study, the number of trips generated by the west side of the site would still be less than that generated by the total site area if developed completely by-right. This would be a valid comparison since the proposed conditions would restrict any development on the east side of the property (including approved uses) until the West Spine Road improvements are in place.

Current Issue Status #2: OTS appreciates the Applicant's willingness to dedicate to the County the right-of-way for the southbound lanes of the West Spine Road as depicted on the SPEX plat. This dedication should take place as soon as possible following Board of Supervisors action on this application. Issue resolved, pending inclusion of a condition of approval to this effect.

Applicant Response:
Comment noted.

Current Issue Status #3: The Applicant should provide crossover improvements and turn lanes at the intersection of Southpoint Drive and the West Spine Road. Issue resolved, pending inclusion of a condition of approval to this effect.

Applicant Response:
Comment noted.

Current Issue Status #4: It is noted that a traffic signal at the intersection of Southpoint Drive and the West Spine Road will provide significant benefit to this development, facilitating access to the site along both sides of the West Spine Road. Any excess funds from other applications for Route 50 signalization would most likely need to be used on Route 50. For example, there is no allocated funding for reconfiguration of the existing intersection of Route 50 and Route 659 including median closure.

A condition of approval requiring the Applicant to install a traffic signal at the intersection of Southpoint Drive and the West Spine Road should be included with this application. The condition language should also require the Applicant to fund the cost of any

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necessary traffic signal warrant studies. Issue resolved, pending inclusion of condition language to this effect.

Applicant Response:

Comment noted.

Current Issue Status #5: The Applicant has added Sheet 4A to the SPEX plat, depicting a possible configuration/footprint of a single point urban diamond interchange at Route 50 and the West Spine Road, and has identified right-of-way reservation for such a design. A condition of approval regarding this right-of-way reservation should be included with this application.

It should be noted that the determination of a final interchange design for this location is likely many years in the future. While there is a reasonable expectation that a single point urban diamond interchange would be appropriate for this location, VDOT has not endorsed this design concept. The design of the interchange is therefore subject to change, and acquisition of additional right-of-way from this site may be necessary. OTS staff is available for further discussion of this matter with the Applicant and VDOT.

Applicant Response:

The Applicant would be agreeable to a condition of approval regarding the interchange right-of-way reservation shown on the special exception plat.

Current Issue Status #6: The provision of right-of-way for multi-purpose trails along the West Spine Road and Route 50 is appreciated. It is noted that the Applicant, in its January 22, 2009 response to the August 21, 2008 Comprehensive Planning referral, has agreed to provide the easements for the multi-purpose trails, as shown on the SPEX plat, and to construct the trails once the Route 50/West Spine Road Interchange is constructed and off-site trails from other adjacent properties are in place. Given the uncertainty regarding the timing of road construction and the lack of existing trail connections in this area, OTS staff generally agrees with the concept of delayed trail construction. However, OTS staff further recommends that the Applicant post a bond to cover the cost of trail construction should it not be completed by the Applicant in the future. Issue resolved, pending the inclusion of a condition of approval to this effect.

Applicant Response:

Comment noted.

Current Issue Status #7: The SPEX plat depicts sidewalks that are only four (4) feet in width, not five (5) feet wide as indicated by the Applicant. Further, no "pedestrian

crossover" is shown on the SPEX plat, as indicated by the Applicant. The SPEX plat should be revised accordingly to depict both of these pedestrian amenities. Issue resolved pending plat revisions.

Applicant Response:

The plat has been revised accordingly.

Current Issue Status #8: The Applicant's response focuses on the proposed long-term right-in/right-out entrance at existing Route 659 and Route 50, as identified in Alternative 2. Please note if this were a new entrance, OTS would oppose it consistent with our position on other applications along Route 50. However, it is not a new entrance, but rather the result of a proposed reconfiguration of an existing, off-site intersection owned and operated by VDOT. As such, the decision regarding any modifications to this intersection (i.e., removing the signal and median crossover, allowing certain right-in/right-out movements, or closing the intersection completely) as well as terminating Gum Spring Road to the south (north of Tall Cedars Parkway) appropriately rests with VDOT. Any modifications to this intersection until such time as alternate north-south connections are in place (e.g., the West Spine Road north of Route 50) need to be reviewed with VDOT as part of an analysis the larger road network in this area. This larger discussion is beyond the scope of this application. OTS staff notes that a separate traffic study for the pending Stone Ridge Commercial rezoning application (ZMAP 2006-0011), dated January 2009 (also prepared by Wells & Associates, LLC) assumes the complete closure of the southern half of the Route 50/659 intersection by 2015, along with a cul-de-sac installed north of Tall Cedars Parkway. The Stone Ridge study also assumes the extension of Southpoint Drive west from Gum Spring Road to Millstream Drive in Stone Ridge.

OTS's original focus of this comment was regarding the termination of Gum Spring Road to the north of Tall Cedars Parkway, as identified in Alternative 2. The SPEX plat identifies the Applicant's desire to abandon the portion of Gum Spring Road right-of-way along the site's western boundary, and add that area to the overall site. OTS notes that abandonment of this right-of-way is not guaranteed, and would need to go through the appropriate process once the larger network issue identified above is resolved. It is not clear if Gum Spring Road ultimately needs to be retained at all south of Southpoint Drive if all adjacent parcels (e.g., the Community Corner/Gateway Church parcel) have alternate access in place. Further discussion with VDOT and adjacent property owners is necessary.

Applicant Response:

As discussed with County staff, the Applicant is willing to meet with VDOT, OTS, and adjacent land owners regarding this issue. It is noted that the Applicant met with VDOT and/or OTS on numerous occasions regarding the future road

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network configuration prior to submitting traffic studies for this project in an effort to resolve these issues. It is recognized that further coordination will be required to appropriately stage the planned and proposed improvements if the special exception uses are approved and the right-of-way dedication for the West Spine Road construction is conveyed by the Applicant.

New Issue/Comment #9: The Applicant should depict on the SPEX Plat the land configurations recommended in the traffic study for Southpoint Drive at the intersection with the West Spine Road (i.e. one lane for entering traffic and two lanes for exiting traffic on each side of the West Spine Road).

Applicant Response:

The plat has been updated to depict the one lane for entering traffic and two lanes for exiting traffic on each side of the West Spine Road.

VIRGINIA DEPARTMENT OF TRANSPORTATION (THOMAS B. WALKER, SR. TRANSPORTATION ENGINEER, 2/26/09)

1. We generally agree with the proposed 2-phase development process as a short term congestion mitigation measure in this sub-region. Under this process, Phase 1 would encompass existing roadway network while generating less traffic than the approved zoning, hence reducing pressure on the already failing intersection of Gum Spring Road and Rt. 50. Full construction of the proposed special exception application (Phase 2) is agreed by the developer to be delayed until construction of a larger, more efficient roadway network in this area. However, in order to determine the optimum roadway network in this sub-region as a long term mitigation measure a detailed analysis of the entire sub-region is required.

Applicant Response:

The optimum road network for this sub-region would be the completion of the Countywide Transportation Plan (CTP) that is currently being updated by Loudoun County. Given the limited effects and isolated impacts expected by this development as a Special Exception and not a rezoning application, a regional traffic study is not warranted. It is also beyond the agreed upon scope for the study as identified in Appendix E of the study.

2. The study lacks the analysis of what the applicant is proffering, namely the analysis of Alternative 1-Phase 1. Generally the following scenarios should be examined. The ? indicates the development year is unclear. Certainly the year

2015 indicated in the TIA can not be applied to both phase 1 and phase 2 as they should be different.

- a) Existing
- b) Future (?) Alternative – 1 background
- c) Future (?) Alternative – 2 background
- d) Future (?) Alternative 1 – Phase

Applicant Response:

The analysis was intended to present a comparison between two alternatives for development in which the West Spine Road was assumed to be partially opened (as in Alternative 1) and fully opened (as in Alternative 2). It is the applicant's intention to develop the site in a single phase by 2015, provided that the West Spine Road is fully opened, as currently designed and approved and presented in Alternative 2. Alternative 1 was prepared to present a scenario in which the West Spine Road was assumed to be partially opened by 2015, thereby necessitating a limited development program in that year. If the completion of the West Spine Road were to lag one to two years behind the 2015 build-out date, the ultimate results of the study would be similar to those presented in the study. Thus, the analyses provided are accurate in that they assess the impacts of the full development of the site under two roadway network alternatives, not a "phased" development.

- 3. The assumptions used in the TIA (background development, growth rates, ...) must be altered to fit the scenario under examination.

Applicant Response:

As mentioned previously, the 2015 completion date was assumed for both Alternative 1 and Alternative 2 scenarios since the amount of development of the site is dependent on the completion of the West Spine Road.

- 4. PHF factor has been inconsistently used in the Synchro analysis.

Applicant Response:

This has been corrected and updated in the attached analysis to reflect the peak hour factors recorded in the field. Note that the results are summarized on the updated Table 1 and show that levels of service have generally improved over that shown in the study since the peak hour factor is higher than the default 0.92 utilized in the study.

5. The analysis on Table 1 shows improved LOS and delay under the "proposed special exception" scenario, which presumably generates more vehicles, when compared to the "approved zoning". If the author is referring to only Phase 1 of the development then the table makes sense and must be spelled out in the TIA. However, if "proposed special exception" includes full build out then the improved LOS and delay must be explained.

Applicant Response:

As noted previously, the Alternative 1 Total Future 2015 scenario assumes a partially completed West Spine Road with the limited phase I development program. The Alternative 2 Total Future 2015 scenario assumes the West Spine Road completed as currently designed and approved with full build-out of the site. It should be noted that it is the developer's intention to develop the site in a single phase by 2015, provided the West Spine Road is completed and fully opened as currently designed and approved.

6. Mitigation measures should be developed for unacceptable approaches at the following intersections indicated on Table 1.
- South Point Dr. / Gum Spring Rd.
 - Tall Cedars Rd. / West Spine / Gum Spring Rd., and
 - South Point Dr. / West Spine Rd.

Applicant Response:

Mitigation measures were developed or discussed in the study for these intersections as follows:

A. South Point Drive/Gum Spring Road

- No additional improvements were recommended at this location as discussed in point 3 on page 18 and point 4 on the bottom of page 19 in the study.*

B. Tall Cedars Parkway/West Spine Road/Gum Spring Road

- As discussed in point 5 at the top of page 19 in the study, no improvements were recommended for the Alternative 1 scenario.*
- The installation of a proffered traffic signal was shown on Table 1 and discussed in point 5 at the bottom of page 19 in the study for the Alternative 2 scenario.*

C. South Point Drive/West Spine Road

- As noted on Table 1 and discussed in point 4 at the top of page 19 of the study, no improvements were deemed necessary since all*

movements were calculated to operate within acceptable levels of service.

- *The addition of a traffic signal was shown on Table 1 and discussed in point 3 on the bottom of page 19 of the study.*

7. Figure 5 "Base Traffic Volumes" – the figure shows the existing plus growth plus background traffic for Alternative 1 and Alternative 2. The expectation is that total entry / exit traffic volume into the network would be fairly equal in both alternatives. However, entry / exist volumes to / from east and south of the network are different between the two alternatives by a large order of magnitude. Please explain.

Applicant Response:

Existing and background volumes were redistributed to reflect modifications to the future roadway network. As discussed on page 11 of the study and shown on the attached updated Figure 5, this primarily resulted in a redistribution of north-south traffic from existing Gum Spring Road to Stone Springs Boulevard and Tall Cedars Parkway, as shown by the additional Alternative 2 volumes on Tall Cedars Parkway and decreased Alternative 2 volumes on Gum Spring Road north of US Route 50. Some redistribution was made between existing Gum Spring Road and Loudoun County Parkway to the east, resulting in some minor differences in the Alternative 1 and Alternative 2 volumes on US Route 50 to the east.

Also, in reviewing these volumes, a correction was made to the Alternative 1 volumes at the US Route 50/West Spine Road intersection. As a result, traffic volumes to the east on US Route 50 are shown to be similar under both Alternative 1 and Alternative 2 scenarios. Figure 5: Base Traffic Volumes and Figure 9: Alternative 1 – Total Future Forecasts (2015) have been updated and attached. For reference, Figure 10: Alternative 2 – Total Future Forecasts (2015) has been attached as depicted in the study.

These volume updates were included in the attached updated analysis. As shown on Table 1, the results are generally better than those reported in the study.

Please feel free to contact me if you have any questions or comments concerning this referral response package.

Sincerely,

WALSH, COLUCCI, LUBELEY, EMRICH
& WALSH, P.C.



Michael Romeo, AICP
Land Use Planner

Enclosures: Updated Special Exception Plat
Updated Statement of Justification
Wells + Associates, Inc. Summary of Comments and Responses

cc: Jim Forster, DCI Construction Management, Inc.
Sam Vaid, Sarswati, LLC
Bob Sproles, Huntley, Nyce & Associates, Ltd.
Michael Workosky, Wells + Associates, Inc.

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January 22, 2009

Via Hand Delivery

Mr. Stephen Gardner, Project Manager
Loudoun County Department of Planning
1 Harrison Street, SE, Third Floor
Leesburg, VA 20177



Re: West Spine Plaza Second Referral Response Letter (SPEX 2007-0029)

Dear Mr. Gardner:

Sarswati, LLC (hereinafter the "Applicant") provides this letter as a second written response to the referral agency comments in the above referenced application. For your convenience, each of the Staff comments are stated below and the Applicant's responses follow in bold italics.

LOUDOUN COUNTY DEPARTMENT OF PLANNING, COMMUNITY PLANNING (SARAH MILIN, PLANNER, 8/21/08)

PROJECT DESCRIPTION

The Applicant, DCI Construction Management, Inc., is requesting a Special Exception to allow a bank with three drive-through lanes, a convenience store with gas pumps, two restaurants (one standalone and the other within a hotel), and ground-floor retail within an office building on the subject property. The proposed Special Exception uses will accompany several permitted uses on the parcel, including a hotel with a restaurant and conference center, flex-industrial space, office, and warehouse uses. Overall, approximately 164,865 sq ft of uses are proposed in seven buildings on the 20.06-acre property along with a pedestrian plaza, vehicular travel lanes, and parking areas. The following table summarizes the uses, both permitted and by Special Exception, that are proposed in West Spine Plaza:

Summary of Proposed Uses by Building

PHONE 703 737 3633 ■ FAX 703 737 3632 ■ WWW.THELANDLAWYERS.COM
1 E. MARKET STREET, THIRD FLOOR ■ LEESBURG, VA 20176-3014
ARLINGTON OFFICE 703 528 4700 ■ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

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Building	Use	SPEX/Permitted	# Floors	Sq. Footage
A	Flex Industrial / Office	Permitted	1 story	28,987 sq ft
B	Convenience store with gas pumps	SPEX	1 story	4,000 sq ft
C	Restaurant	SPEX	1 story	5,000 sq ft
D	Hotel with accessory restaurant	Permitted/SPEX	4 stories	49,828 sq ft
E	Conference Center	Permitted	1 story	11,550 sq ft
F	Office with Ground Floor Retail	Permitted/SPEX	3 stories	61,000 sq ft
F	Bank with drive-through facilities	SPEX	1 story	4,500 sq ft
TOTAL				164,865 sq ft

Source: Special Exception Plat, Revised July 30, 2008



Vicinity Map

The property is currently zoned CLI (Commercial - Light Industry) and is located on the south side of Route 50, just east of Gum Springs Road (Route 659) (see vicinity map to the left). The West Spine Road bisects the site in a north-south direction. Two lanes of this planned four-lane roadway are currently built through the site.

The Applicant has submitted a response to Community Planning's first referral, dated November

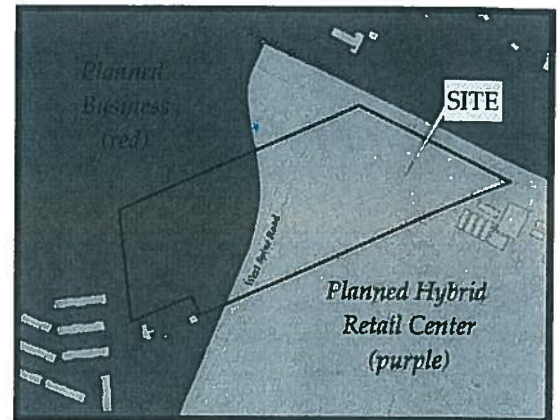
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26, 2007. Below is a discussion of the outstanding issues that should be addressed in order for the application to fully conform to the Revised General Plan. This referral is intended to be supplementary to the first referral.

OUTSTANDING ISSUES

1. Land Use

The subject property is located within the Dulles Community of the Suburban Policy Area and is planned for both Business Community and Hybrid Retail Center uses (see planned land use map on the left) (*Arcola Area/Route 50 Corridor Plan, Planned Land Use Map*). The West Spine Road generally forms the boundary between the two land uses on the subject property, with Business to the west and Hybrid Retail Center to the east.



Planned Land Use

a. Business Community

The Arcola Area/Route 50 Corridor Plan states that areas designated Business in the Route 50 Corridor shall be subject to the policies and land use mix ratios of Chapter 6 except as modified or supplemented by the Corridor Plan (*Arcola Area/Route 50 Corridor Plan, Policy 1, pg. 5*). The Revised General Plan calls for planned Business areas to develop as either a Regional Office or a Light Industrial development. Such developments can include a mix of land uses, including commercial retail and services, but regional office uses should constitute the majority of the land area (*Revised General Plan, text, pg. 6-28 and 6-29*). In the Route 50 corridor, in order to address the deficit of retail uses and the potential for tourism in this area, the County can consider retail/commercial service uses that exceed the 10 percent maximum set out for Business Communities in Chapter 6 as long as the following criteria are met:

- 1) The retail use provides the goods and services needed by local employment and residential communities and/or supports the development of tourism in the Route 50 corridor;
- 2) The retail use is compatible with and can illustrate a coordinated design, transportation connection or other relationship with the surrounding communities that exist or have been approved;
- 3) The retail use does not access Route 50 directly;
- 4) The proposal provides adequate and appropriate transportation infrastructure; and
- 5) The proposal conforms to policies in the Retail Plan (*Arcola Area/Route 50 Corridor Plan, Policy 2, pg. 5*).

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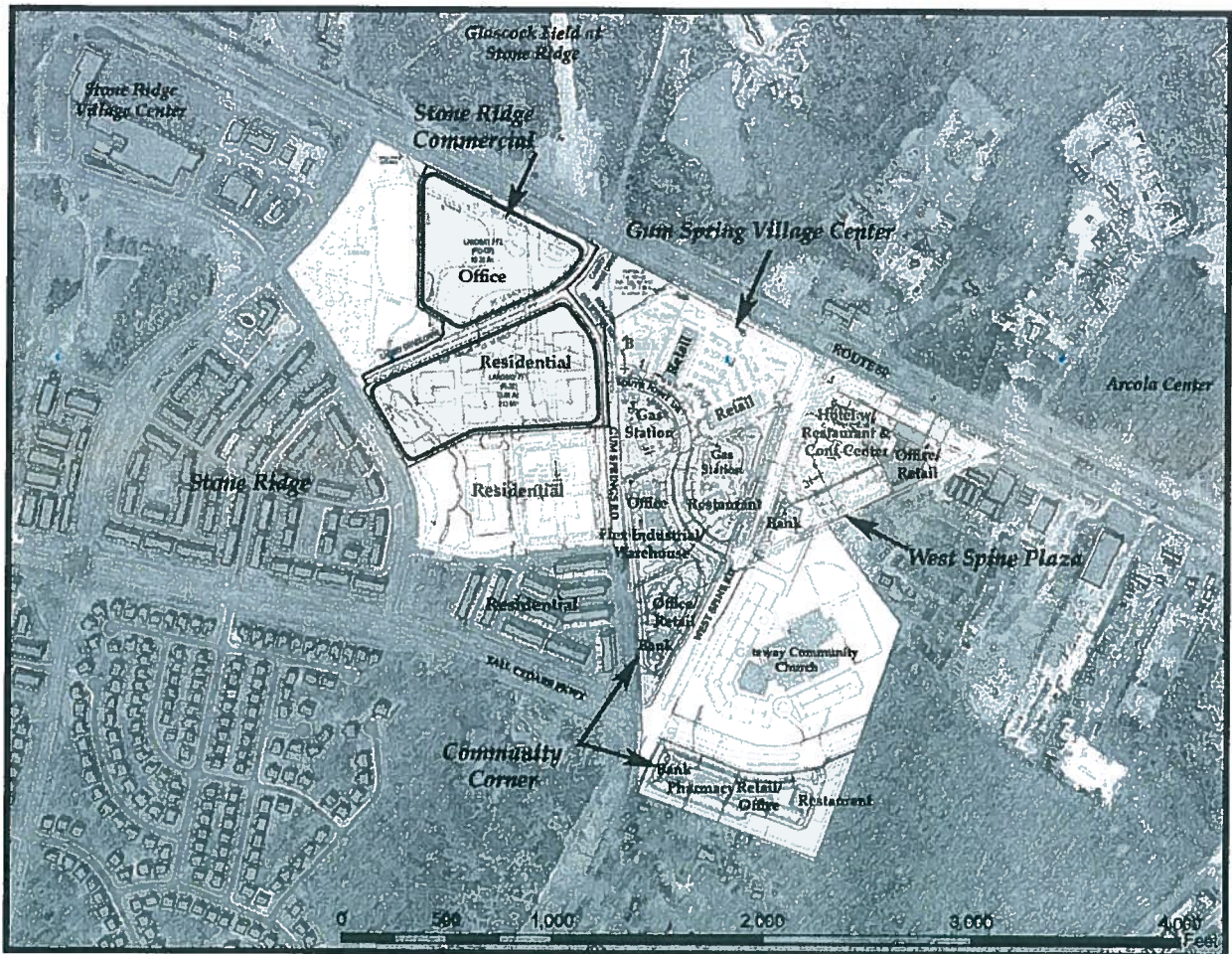
Within the portion of the site planned for Business uses, the application proposes a permitted office/flex industrial warehouse facility and the following Special Exceptions uses: a restaurant and a convenience store with gas pumps. The proposed land use mix is dominated by commercial retail and service uses (i.e., these uses encompass approximately 50% of the site's planned Business area) and is therefore not consistent with the land use mix for a business community. In the first referral, staff found that the proposal met only three of the five criteria (#3 – 5) needed to justify additional retail in planned Business areas. Staff described the additional information and project revisions that were needed for the project to meet the first two criteria.

Criteria #1: *The retail use provides the goods and services needed by local employment and residential communities and/or supports the development of tourism in the Route 50 corridor.*

In the first referral, staff questioned the need for additional retail in the area given that the same uses have already been approved or are anticipated in the site's immediate vicinity. Staff requested additional information regarding the market area of the proposed gas station and restaurant to determine whether a need for such uses exist and will not be fulfilled by the other projects planned in the vicinity of the site. The Applicant has responded by stating that an additional gas station and restaurant use would help meet the demand for these uses from existing and proposed households in the Dulles Planning Area and cited residential growth statistics in this area from the County's 2007 Growth Summary.

However, the Route 50 Corridor Retail Market Analysis prepared for Loudoun County and completed May 1, 2006 indicates that supportable retail space in this area in the year 2030 will only be 2,373,532 square foot of retail based on the maximum buildout scenario. The retail projects that have been approved and built already exceeds the anticipated supportive retail for this area. Given these findings and that the same retail uses that are proposed with this application are already planned in the site's immediate vicinity, staff does not find that the proposal adequately justifies exceeding the 10% maximum for retail/commercial service uses established in the Plan for Business Communities.

Uses Planned in the Vicinity of the Site



The proposed retail uses are also not consistent with policies for service-area based retail uses in the Retail Plan. First, Plan policies call for the separation of service-area based retail by a minimum of 4,000 feet (*Retail Plan, Policy A4, pg. 15*). Not only is the project site immediately adjacent to the retail uses planned at Gum Spring Village and Community Corner, it is also within 4,000 feet of the Stone Ridge Village Center. Furthermore, service-area based retail uses should be located internally to the areas they are intended to serve since they are not intended to attract “drive-by” shoppers or function as destination retail (*Retail Plan, Policy A1, pg. 14*). The proposed retail uses on the ground floor of the office building provides the internal location and will presumably serve the employees of the office building, as called for by the Plan. However, the retail uses proposed west of the West Spine Road are located at the periphery of the site and will likely largely depend upon “drive-by” shoppers.

Overall, staff continues to have concerns regarding the amount of retail and commercial service uses that are existing, approved and proposed within the planned Business areas south of Route 50. The developments here largely do not advance the Plan's vision for Business Communities; rather than having significant office development, the predominant land use appears to be strip commercial development. This area has the potential to develop as strip retail development similar to that found along Route 50 in Fairfax County, in contradiction to the Plan's vision. The Route 50/West Spine Road intersection will likely in the future become a desirable place for larger-scaled office development due to its location. Although the Applicant proposes some office within the planned Business area, it is not significant (only 10,000 sq ft) and is part of a 1-story building



Retail along Route 50 in Fairfax County

containing flex industrial/warehouse uses.

Staff finds that the project does not meet the first criteria needed to justify increased retail in the Route 50 corridor. Staff recommends that the application be revised to provide a land use mix where more significant office development is proposed and the retail component more closely reflects the 10% ratio envisioned in the Plan. Community-serving office development rather than Class A office space would be appropriate at this location.

Applicant Response:

In response to Staff's concerns regarding the justification for additional retail in the area planned for Business Community in the Route 50 corridor, the Applicant requested a survey be completed to assess the amount of restaurants and gas stations in the Route 50 Corridor and if there is support for the proposed uses on the Property. As shown in the letter from S. Patz & Associates, Inc., dated January 7, 2009, the results of the survey do indeed show that additional quality restaurants, or restaurants that are not currently represented in the area, could be attracted to the West Spine Plaza. The survey results also indicate that the prospects are good for a new gas station in this area of the county.

It is anticipated that the restaurant and gas station uses will service the users of the office and flex industrial spaces across South Point Drive as well as

tourists and nearby residents. The servicing of the office and flex industrial users is a practical assumption considering the pedestrian connections that will be provided along South Point Drive. The restaurant and gas station have also been reoriented to take advantage of the stormwater management pond as an amenity. The Applicant is also agreeable to enhanced landscaping and architectural treatments to further integrate the restaurant and gas station into the Property.

The Business Community portion of the Property is constrained by its relatively limited size due to the extension of South Point Drive through the Property, the location of the stormwater management pond, and adjacent road setbacks. Even with these constraints, the Applicant was able to further revise the building square footage to include additional office space in the Business Community as shown in the table below.

Updated Building Square Footage	
• Flex-industrial/office	15,000/18,000 totals 33,000 square feet
• Convenience store with gas pumps	4,000 square feet
• Restaurant	5,000 square feet
• 4-story, 100-room hotel/accessory restaurant	49,828/3,000 totals 52,828 square feet
• Conference center	11,550 square feet
• 4-story office/first floor retail	47,700/13,300 totals 61,000 square feet
• Bank with 3 drive-through lanes	4,500 square feet
Total proposed square footage	171,878 square feet

Criteria #2: The retail use is compatible with and can illustrate a coordinated design, transportation connection or other relationship with the surrounding communities that exist or have been approved.

In the first referral, staff stated that the proposal is compatible with the office, commercial retail and residential uses that surround the subject site. Staff, however, raised concerns that no pedestrian linkages were proposed along South Point Drive or the West Spine Road although the Applicant states as justification for the proposed application that the goods and services will be provided that are supportive of the growing residential population in this area.

The Special Exception plat has been revised to depict the pedestrian linkages that are proposed, including a 10-foot wide trail along a portion of Route 50 (transitioning to a 14-foot easement), two four-foot wide sidewalks along South Point Drive, and a

10-foot wide shared use path running along the east side of the West Spine Road. Internal to the development, the Applicant has provided a network of sidewalks that connects the different uses, including crosswalks to alert drivers to watch for pedestrians. The response to referral comments also states that the Applicant is willing to provide bicycle racks on the site. However, there are several significant pedestrian facilities that have not been adequately provided that may compromise the developing trail network in the area.

Staff recommends that the sidewalks along South Point Drive be widened to five feet in order to be consistent with Plan policies stating that sidewalks within the Suburban Policy Area be a minimum of 5 to 6 feet wide (Bike/Ped Plan, Recommended Walkway Types, pg. 41).

Staff further recommends that a 10-foot wide shared use path be provided on the west side of the West Spine Road in addition to the east side. The future West Spine Road is identified in the Bike/Ped Plan as a baseline connecting roadway and envisions that such roadways will be equipped with minimum 10-foot wide off-road, shared-use paths on both sides. Staff notes that similar commitments have been included in the Proffers of several other land use applications along the West Spine Road, including Community Corner (ZMAP 2006-0024 & SPEX 2006-0037), Providence Glen (ZMAP 2002-0023), Yardley (ZMAP 2006-0019), Treburg (ZMAP 2004-0019) and Masira (ZMAP 2003-0004).

Staff also recommends that the Applicant provide a 10-foot trail along their entire Route 50 frontage in place of the proposed 14-foot trail easement. Although the future Route 50/West Spine Road interchange will impact this portion of the trail when it is built, a complete pedestrian and bicycle network along Route 50 is needed until this time.

The trail along the property's southern property boundary east of the West Spine Road should be extended throughout the site to the Gateway Community Church property. Staff also recommends that pedestrian and bicycle facilities be provided from the trail along West Spine Road to the proposed hotel and from South Point Drive to the proposed restaurant.

Lastly, staff recommends that the application commit to (1) enhanced pedestrian crosswalks that include raised crosswalks and/or changes in textures, patterns and colors to distinguish between pedestrian and vehicular movement and (2) a minimum number and capacity of bicycle racks.

Applicant Response:

The revised Special Exception Plat now shows five foot sidewalks along South Point Drive.

Per the Applicant's September 8, 2008 meeting with Staff, it was agreed that the Applicant would provide 14-foot trail easements along the east and west sides of the West Spine Road and the Property's Route 50 frontage, beginning at the terminus of the proposed future sidewalk or trail that are planned to be constructed with the proposed development. It is anticipated that the condition of approval would include appropriate language stating that once the interchange is constructed, and appropriate off-site trail connections are provided, the Applicant shall be obligated to construct the trails within the trail easements shown on the Plat.

The Applicant would be agreeable to a condition of approval providing enhanced pedestrian crosswalks that include raised crosswalks and/or changes in textures, patterns and colors to distinguish pedestrian and vehicular movement, if approved by VDOT, and a minimum number and capacity of bicycle racks. The Applicant suggests 20 bicycle racks to be placed on the west side of the West Spine Road and 20 bicycle racks on the east side.

b. Hybrid Retail Center

On the portion of the site planned for Hybrid Retail Center uses, the application proposes a 4-story hotel with a restaurant and a conference center, a 3-story office building with ground-floor retail, and a freestanding bank with drive-through facilities. Of these uses, the restaurant within the hotel, the ground-floor retail within the office building, and the bank require Special Exception approval. In the first referral, staff found that the proposed Special Exception uses east of the West Spine Road are consistent with its Hybrid Retail Center planned land use designation, which calls for the development of retail uses that provide for convenience and routine shopping needs and can also incorporate some larger-scale retailers that are typically characterized as Destination Retail (*Arcola Area/Route 50 Corridor Plan, Policy 1, pg. 6*).

Staff, however, recommended that the Applicant coordinate interparcel access with the property owner (Meadows Farms, Inc.) immediately east of the site, consistent with Plan policies for the Route 50 corridor discouraging strip retail development and encouraging the consolidation of CLI properties in order to achieve coordinated development with minimal access points (*Arcola Area/Route 50 Corridor Plan, Policy 4, pg. 7*). In their response to referral comments, the Applicant stated that they have

concerns with staff's assessment of the interparcel access with the adjacent property, specifically that the property owner to the east is a much more intensive land use and it is inappropriate for the trucks that use this property to access through the West Spine Plaza. The Applicant suggested that an interparcel access point located elsewhere, possibly to the south of the West Spine Plaza, is more appropriate.

Staff agrees that interparcel access with the property to the east may not be appropriate at this time. However, such access may be desirable sometime in the future should this property redevelop with uses that are compatible with those proposed in this application. This property is also located within the planned Hybrid Retail Center area. This application should anticipate and accommodate this possible future situation. Staff therefore recommends that a "possible future interparcel access" point be designated on the Special Exception plat.

Applicant Response:

The Applicant has added a note to the Plat stating, "Interparcel ingress/egress connector street is to be located along the common property line."

2. Site and Building Design

In the first referral, staff expressed concern that the proposed project did not fully emulate the design characteristics desired in the Arcola Area/Route 50 corridor. On February 20, 2007, the Board of Supervisors approved the Route 50 Corridor Design Guidelines which, in addition to Plan policies, apply to the subject site. The County seeks to foster a high-quality appearance and reinforce a sense of place along the Route 50 corridor through the use of pedestrian-oriented development, distinctive architecture and details, enhanced landscaping, and by reducing the visual impact of parking and service areas. New development patterns should use compact building arrangements to frame streetscapes and screen parking and service areas; incorporate high-quality streetscape elements such as lighting, signage and furniture; and place the majority of the parking areas out of view and reduce their scale and impact (Route 50 Corridor Design Guidelines, pgs. 28 - 45). Plan policies also discourage strip development of any type and provide many design characteristics envisioned for retail uses (Revised General Plan, Policy 11, p. 6-7 and Retail Plan, Design Guidelines, pg. 19 - 21). Several site design changes were recommended in the first referral so that the project would more closely conform to the County's vision for the Route 50 corridor. Staff also requested information or renderings of the proposed architectural design of

the buildings and recommended conditions that all the buildings be unified and exhibit a high quality of design and materials and that all mechanical equipment will be screened.

Since the first submission, the proposed site layout has not been substantially changed. The Special Exception plat has been revised to switch the orientation of the proposed restaurant and gas station west of the West Spine Road; the restaurant is now south of the proposed gas station and closer to South Point Drive. A detailed landscape plan and external and internal pedestrian linkages have also been provided with this submission. Regarding the architectural design of the buildings, the Applicant in their response to referral comments states that revised renderings of the proposed buildings will be provided when they become available; regardless, the buildings will be unified and exhibit a high quality of design and materials. The Applicant also stated a willingness to commit to screening of mechanical equipment.



The Main Street Project is an example of the high-quality design envisioned in the Route 50 corridor.

While certain portions of the site conform to the County's vision for the Route 50 corridor (in particular the proposed hotel and office building which are adjacent to one another and connected by a pedestrian plaza), the majority of the site continues to resemble a strip commercial development, inconsistent with Plan policies. Instead of a compact, pedestrian-oriented development, several standalone buildings and retail pad sites are proposed that are surrounded, and separated from one another, by surface parking areas. Throughout the proposed development, parking areas are placed adjacent to both South Point

Drive and the West Spine Road and will be visible from both roadways.

Staff recognizes that many of the proposed uses are vehicular-oriented, particularly the gas station and the drive-through bank, and therefore pose a design challenge to more compact, pedestrian-oriented development. However, a number of other developments in the Route 50 corridor have achieved an innovative design despite their vehicular-oriented uses. For example, Main Street Car Wash & Lube, east of the site, uses distinctive architecture, enhanced pedestrian connections, ample streetscape amenities, and high-quality stormwater management design to create a high quality appearance.

Staff recommends that the proposed layout be revised to create a more compact, pedestrian-oriented development. One way to accomplish this is by relocating the proposed drive-through bank northward so that it has a stronger relationship with the other buildings (the hotel, conference center, and office building) proposed east of the West Spine Road. Alternatively, should the proposed land use mix not be revised, it may be appropriate to provide the more vehicular-oriented uses (i.e., the gas station and the drive-through bank) west of the West Spine Road and relocate the proposed restaurant adjacent to the proposed hotel and office building.

Staff further recommends that the project commit to incorporating high-quality and unique design features and building architecture that will contribute to and enhance the proposed development's sense of place. Detailed renderings of the proposed buildings, as requested in the first referral, should also be provided for staff review. It would be appropriate to commit to architectural renderings or detailed design guidelines given that the project is within the Route 50 corridor. At a minimum, the project should commit to conforming to the Route 50 Corridor Design Guidelines dated January 4, 2007.

Lastly, staff recommends the following conditions:

- **enhanced buffering that includes existing trees where feasible will be provided adjacent to South Point Drive and the West Spine Road to help screen the adjacent parking areas;**
- **screening of all mechanical equipment. Preferably, rooftop equipment should be incorporated into the roof form. Ground-mounted equipment and dumpsters should be screened by a fence or a wall of similar construction to the principle walls of the structure that the equipment serves; and**
- **signage that provides a high level of design quality that is consistent with gateway design features.**

Applicant Response:

Through the Applicant's interaction with Staff, a new design for the Property is now included in the updated Plat. The revised design provides a stronger relationship between the bank and the office/retail building while still maintaining a building presence on Route 50; inversion of the gas station and restaurant to allow the restaurant to take full advantage of the stormwater management pond as an amenity; and an additional tree save area between the West Spine Road and parking area. The Applicant would be agreeable to conforming to the Route 50 Corridor Design Guidelines, dated January 2, 2007. Enhanced renderings will be provided when available. The Applicant is agreeable

to the three conditions addressing enhanced buffering, screening of mechanical equipment, and a high level of signage design quality.

3. Existing Vegetation

With the exception of the waterline easement along the southern boundary and the existing portion of the West Spine Road, the site is entirely forested with upland and lowland hardwoods and pines (see the Forest Stand Delineation prepared by Angler Environmental, January 6, 2007). Thirty-four large trees, primarily oaks and hickories, with a dbh greater than 19 inches are present on the site. In the first referral, staff raised concerns that the application proposed complete removal of the existing, forested vegetation and recommended that the existing trees and tree stands be incorporated into the design of the site. Staff suggested several areas where this could be accomplished, including required perimeter buffers, public spaces (such as the plaza located between the hotel and retail/office building), leftover spaces, parking lot islands, etc. The Special Exception plat has been revised to designate two tree save areas on the site within the required Route 50 setback, consistent with landscaping requirements for Type 5 buffers along the roadway. According to the response to referral comments, additional tree save areas are not possible due to the grading that will occur on the site.



Looking south on the West Spine Road

Although staff understands that the site's grading may make it difficult to preserve additional trees, staff remains concerned that the vast majority of the site's existing high-quality forest cover will be removed to accommodate the development of the project. Staff recommends that the Applicant explore ways to creatively incorporate additional trees into the project, for instance along the West Spine Road, within the pedestrian plaza between the hotel and the proposed office building, within the two largest parking lot islands, and within leftover spaces, particularly surrounding the proposed bank.

Staff also recommends that a condition of approval be drafted addressing tree maintenance and conservation within any designated tree save area.

Applicant Response:

Through the Applicant's interaction with Staff, the site now contains an

additional tree save area between the West Spine Road and parking area. When it becomes available, the Applicant looks forward to reviewing the condition of approval addressing tree maintenance and conservation.

4. Streams and Wetlands

The application proposes the complete removal of the site's existing wetlands and streams. In the first referral, staff acknowledged that opportunities to preserve these features are limited given that the stream is impacted downstream by Gum Spring Village Center and the wetland is located where a roadway is planned. Staff recommended that the application commit to mitigating impacts within or close to the project area to help maintain water quality, flood protection functions, and habitat. According to the response to referral comments, the site layout now incorporates as much of the existing stream/wetland area on the west side of the West Spine Road as possible into the site's stormwater management system and that the unavoidable impacts to wetlands or waters of the U.S. will be mitigated as consistently as possible with the Revised General Plan.

Staff recommends that a condition of approval be developed requiring that all impacts to wetlands or waters of the U.S. be mitigated in close proximity to the development, consistent with Plan policies (Revised General Plan, Policy 23, pg. 5-11).

Applicant Response:

When it becomes available, the Applicant looks forward to reviewing the condition of approval addressing wetlands or waters of the U.S.

5. Stormwater Management

In the first referral, staff requested additional information regarding the proposed stormwater management approach and recommended that low impact development (LID) techniques be integrated into the project given the amount of surface parking proposed. Staff also recommended a commitment that the proposed stormwater management facility be developed as a unique and attractive feature of the site. The Special Exception plat has been revised to provide additional details regarding the proposed stormwater management system, including the provision of extended detention areas and sediment forebays. The response to referral comments also indicates that "the Applicant will commit to providing landscaping with native vegetation around the naturally-shaped stormwater management pond. The Applicant anticipates that the stormwater management pond will become an aesthetically pleasing feature

and an asset to the retail development that will allow the restaurant to construct an outdoor seating area to take advantage of its surroundings". However, the proposed site layout does not place the restaurant building adjacent to the stormwater management pond where a seating area would be possible; instead, a vehicular travelway and a row of parking spaces separates the two uses. In addition, the restaurant has been relocated to the southern portion of the site and is now closer to an extended detention area and a sediment forebay than the wet pond. Plan policies encourage freestanding restaurants to provide usable outdoor spaces (*Retail Plan, Policy A.4, pg. 20*).

Staff defers to the Department of Building & Development to review the site's proposed stormwater management approach. Staff recommends a commitment that landscaping with native vegetation be provided around the stormwater management pond. Staff also encourages the proposed restaurant to provide a usable outdoor space.

Applicant Response:

The Applicant is agreeable to enhancing the landscaping around the stormwater management pond with native vegetation. The restaurant has been redesigned and relocated to take advantage of its outdoor space and utilize the stormwater management pond as an amenity.

6. Lighting

In the first referral, staff recommended that the application commit to a reduced glare lighting plan. According to the response to referral comments, the Applicant will commit to a reduced glare lighting plan in accordance with Facilities Standards Manual (FSM) standards.

Staff recommends that a condition of approval be developed limiting the intensity of lighting.

Applicant Response:

When it becomes available, the Applicant looks forward to reviewing the condition of approval limiting the intensity of lighting.

RECOMMENDATIONS

Community Planning staff is not able to recommend approval of the Special Exception request at this time because the proposed development does not fully conform with Plan policies in terms of proposed use and design. While the portion of the site east of

the West Spine Road is consistent with its Hybrid Retail Center planned land use designation, staff is particularly concerned that the portion within the planned Business areas does not meet the first criteria needed to justify increased retail in the Route 50 corridor and should be developed with more significant office uses. The design and layout of the site is also not consistent with the Plan's vision for compact and high-quality development within the Route 50 corridor. Staff also recommends that the Applicant coordinate future interparcel access with the property owner (Meadows Farms, Inc.) immediately east of the site. In addition to layout revisions, staff recommends that the project commit to incorporating high-quality and unique design features and building architecture that will contribute to and enhance the proposed development's sense of place.

In addition, staff recommends the following:

- Enhance pedestrian and bicycle connections, including the provision of bicycle racks;
- Incorporate more of the site's existing vegetation into the design of the site;
- Provide tree conservation and maintenance commitments;
- Commit to mitigating wetland and stream impacts close to the property;
- Commit to a reduced glare lighting plan;
- Commit to providing landscaping with native vegetation around the stormwater management pond;
- Provide enhanced landscaping to screen parking areas that are adjacent to roadways;
- Commit to screening mechanical equipment; and
- Commit to high-quality signage.

**LOUDOUN COUNTY DEPARTMENT OF BUILDING & DEVELOPMENT, ZONING ADMINISTRATION
AND ENVIRONMENTAL REVIEW TEAM (CINDY LINTZ AND WILLIAM MARSH, 8/20/08)**

I. Zoning Administration Comments

1. With a Special Exception application, Zoning Administration is only addressing the Special Exception uses. It is premature to review by-right uses and to make comments relating to by-right uses, they will be addressed at the time of Site Plan.

Applicant Response:

Comment noted.

2. In the Statement of Justification, first page, please include that "The Property abuts

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land zoned R-16, R-24 to the west and PD-CC-CC to the South.

Applicant Response:

The Statement of Justification has been revised accordingly.

3. Sheet 1 of the plat with note #3 and Area Tabulation, County Records show 20.06 acres, whereas the survey of the site shows 21.34. This is over an acre discrepancy. Does the survey include the future abandonment of old 659? Please explain the large discrepancy.

Applicant Response:

The field run survey completed by Huntley, Nyce & Associates, Ltd. verified that the site is comprised of 21.34 acres. This acreage is not verified by a title survey and therefore is included on the Plat for notational purposes only. All property calculations included on the Plat are based on the 20.06 acres listed in Loudoun County Tax Records. It is unknown why the discrepancy is so large.

4. Sheet 1, note #6 of the plat, the building height ratio is 45 feet with a setback of 1 additional foot for each additional 1 foot of building height – not 5 additional feet. Please correct.

Applicant Response:

The Plat has been revised accordingly.

5. Sheet 1, please remove note #19.

Applicant Response:

Note #19 has been removed from the Plat.

6. Sheet 1, the “Area of Right of Way dedication” says dedication, however, on Sheet 2, West Spine Road says Reservation. Please correct this discrepancy.

Applicant Response:

This discrepancy has been corrected.

7. Sheet 1, under Area Tabulations, the provided landscape open space should be 0.29 not 0.18. ($165,452/573,992.6 = 0.29$).

Applicant Response:

The landscaped open space calculation has been updated.

8. Sheet 2, there is far too much detail on this sheet, it is premature to include this much detail, which will be reviewed at site plan. Please remove buffer for by-right uses, sign locations, and parking count details from the plan. Include a note that these items will be in conformance with the zoning ordinance at the time of site plan review.

Applicant Response:

The information listed above has been included to assist the reader. To reduce the amount of information included on this sheet, Sheet 2 has been split into two separate sheets: one sheet that shows the concept development plan and a second sheet that shows the concept development plan and the specific special exception uses.

9. Sheet 2 is labeled "Concept Development Plan." Please change this to a Special Exception Plat.

Applicant Response:

Sheet 2 has been separated. Sheet 2A is now titled, "Conceptual Development Plan Showing Special Exception Uses."

10. Sheet 2, it appears that the asphalt trail is included in the future abandoned area of old Route 659. It is not clear when this road will be abandoned, so it is premature to include the trail in the abandoned area. The applicant may want to show a trail easement along old Route 659.

Applicant Response:

The Plat has been revised accordingly.

11. Sheet 2, Gateway Community Corner is not apart of this Special Exception application. Staff recommends removing that information.

Applicant Response:

The Gateway Community Church information is shown for informational purposes only.

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12. Sheet 2, please update Community Corner (Pin 204-19-8672) to PD-CC-CC.

Applicant Response:

The Plat has been updated accordingly.

13. Sheet 2, please update Community Corner (Pin 204-10-2931) to CLI.

Applicant Response:

The Plat has been updated accordingly.

14. Sheet 2 building "D", the word restaurant has a misspelling.

Applicant Response:

The Plat has been updated accordingly.

15. Sheet 2, if the restaurant is planning to have outdoor seating, please show this on the plat.

Applicant Response:

The Plat has been updated accordingly.

16. Sheet 2, Building F, please change the use to "Retail Sales Establishment" to meet CLI Special Exception use.

Applicant Response:

Note 1 on Sheet 1 lists the correct special exception uses.

17. Sheet 2, if the application is planning to keep by-right uses labeled on the plat, please include the by-right use for building "F."

Applicant Response:

The Plat has been updated accordingly.

18. Sheet 2, please label dedication of right-of-way for the future Route 659/ Route 50 interchange on the plat. The setbacks from the ultimate road condition will be reviewed

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at site plan.

Applicant Response:

The reservation area for the future Route 659/Route 50 interchange is shown on the Plat.

19. Sheet 2, since the inter-parcel access easement is going through Gateway Community Church, then they should be an applicant on this application.

Applicant Response:

Following an October 22, 2008 meeting with Staff, it was determined that this issue was no longer applicable.

20. Sheet 2, the Special Exception area should include accessory uses including access to the use and parking.

Applicant Response:

The parking and access to the use are shown on the Plat. Following the October 22, 2008 meeting with Staff, it was determined that the access to the use did not need to be delineated as an accessory use to the special exception uses on the plat.

21. Sheet 4, landscape plan will be reviewed at site plan.

Applicant Response:

Comment noted.

II. Environmental Review Team Comments

The Environmental Review Team (ERT) has comments pertaining to the current application, as follows:

1. Protecting surface water quality is an important issue for consideration, as required by Section 6-1310(H) of the Revised 1993 Zoning Ordinance. The Stormwater and Best Management Practice (BMP) approach remains an outstanding issue for the following reasons:

- Comprehensive stormwater and BMP coverage for impervious surfaces on this site is still uncertain, because the proposed pond location may not be located to capture runoff from areas near the proposed hotel.
- The “extended enhanced” BMP depicted in plan view achieves a 50-percent phosphorous removal efficiency when properly designed but may not be sufficient by itself to treat the pollutants from a site with a high impervious ratio.
- The applicant’s stated interest in low impact development is not demonstrated with the design indicated on the special exception plat. As described in Section 5.200 of the Facilities Standards Manual (FSM), LID “seeks to minimize the impact of development on watershed characteristics by reducing impervious areas and creating opportunities for groundwater recharge, evaporation, and vegetation absorption in an effort to mimic the predevelopment hydrologic conditions.” An approach only using dry ponds with forebays will not allow any infiltration, because ponds are designed with impervious embankments and bottoms, as described in Chapter 3 of the Virginia Stormwater Management Handbook. The large loss of forest habitat minimizes potential for evaporation and vegetative absorption. The loss of wetland areas also hinders groundwater recharge.

Staff suggests a meeting with the applicant to address this issue. Several buffer areas near roads and large parking lot islands may provide good opportunities for bioretention basins, where such basins can use underdrains connected to a pipe network if existing soils do not allow for rapid infiltration. Native vegetation required within these basins can also enhance proposed buffers and require little if any irrigation. Including several bioretention basins is more consistent with the applicant’s stated interest in low impact design and need not drastically alter the site layout.

Applicant Response:

The Applicant has worked with Staff to revise the layout and further improve the Property’s stormwater management by converting the stormwater management pond from a dry pond to a wet pond and the likely inclusion of bioretention basins around certain parking areas. As stated in the community planning referral response above, the Applicant is agreeable to enhancing the landscaping around the stormwater management pond with native vegetation.

2. In the first referral, staff encouraged application of green building standards with this application, including consideration of Leadership in Energy and Environmental Design (LEED). The applicant stated a general interest in green building traits but made no specific commitments. Staff encourages further discussion with the applicant to ascertain the degree

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of commitment to LEED traits and to make available to the applicant LEED Accredited Professional staff. If commitments to verifiable LEED traits are not pursued, please elaborate further on how the Revised General Plan (RGP) policies specified previously are achieved with this application.

Applicant Response:

The Applicant has appreciated the additional meetings with Staff to further discuss the LEED items that will likely be included in the project.

3. Staff appreciates including a tree save area near Route 50. Staff recommends a condition of approval for tree conservation to conserve and maintain this resource.

Applicant Response:

The tree save area along Route 50 and the newly created tree save area along the West Spine Road will both likely be subject to a condition of approval addressing their maintenance. When it becomes available, the Applicant looks forward to reviewing the condition of approval addressing tree maintenance and conservation.

4. For any unavoidable impacts to wetlands or waters of the U.S., mitigation should occur in close proximity to the development, consistent with Policy 23 in Chapter 5, page 5-11, of the RGP. Accordingly, staff recommends the following condition of approval for wetland and Waters of the US mitigation as follows: 1) within the Broad Run Watershed within the same Loudoun County geographic Policy Area, 2) within the Broad Run Watershed within another Loudoun County geographic Policy Area, or 3) elsewhere within Loudoun County, subject to approval by the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality.

Applicant Response:

For the unavoidable impacts to wetlands or waters of the U.S., if applicable, the Applicant would be agreeable to the condition listed above.

5. For reference, please also include the jurisdictional determination (JD) number for this project: JD #06-B0212 (Saraswati Property) issued on February 9, 2007.

Applicant Response:

This jurisdictional determination number should be included on the Plat.

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6. Staff appreciates the applicant's willingness to provide digital data of stream and wetland sources on site and recommends a condition of approval for providing this data during the site plan review.

Applicant Response:

The Applicant would be agreeable to this condition of approval.

LOUDOUN COUNTY OFFICE OF TRANSPORTATION SERVICES (ART SMITH; 8/26/08)

County Issue 1. Attachment 5 shows Future (2010) Lane Use and Traffic Control as assumed in the applicant's traffic study. This network will not be in place and must be adjusted to provide adequate service level forecasts. As of now the only certain short-term access to this site is the local interparcel road running from this through the Gum Springs Commercial Center to existing Route 659. Consistent with the approvals of the Gum Springs Commercial Center and Community Corner to the south this would allow currently approved by-right development on the site. LOS at the Route 50/Route 659 intersection would likely be F during the peak hours if by-right development builds out without major road improvements.

Based on information currently available to OTS the following represents the likely road network which would be in place by 2010:

- a. Two lanes of the West Spine Road are likely to be in place between Tall Cedars Parkway and Route 50. They are being constructed by private sector proffer. (Please note a small section of right-of-way still needs to be dedicated from the Kim Property for this improvement to occur.) If only these two lanes are in place VDOT staff prefers they be operated as northbound lanes of the future four lane West Spine Road.*
- b. With only 2 northbound lanes of the West Spine Road in operation it would not be possible to sever Existing Gum Spring Road from Route 50. Instead Gum Spring Road would need to continue to operate as a two lane road, VDOT staff saying one northbound lane, one southbound lane.*
- c. The West Spine Road will not be in place north of Route 50 by 2010 in conformance with the approved phasing on the Arcola Center ZMAP.*
- d. There are proffers for the addition of the third eastbound and westbound lanes on Route 50. Since a CPAP has been submitted for the third eastbound lane and review is processing it is likely it will be in place. The timing on construction of the third westbound lane is not certain and cannot be assumed to be in place.*

An addendum should be prepared to the traffic study analyzing service levels for the road network likely to be in place in 2010. This study may indicate phasing of the project may be needed until such time as the two southbound lanes on the West Spine Road are completed between Route 50 and Tall Cedars Parkway to provide adequate LOS. Scoping of the addendum with the applicant and VDOT would be welcomed by OTS.

Applicant Response 1. As noted in the attached updated traffic study and confirmed with County and VDOT staff in the March 5, 2008 letter contained in Appendix E of the updated study, these elements were noted and incorporated into the updated traffic study.

County Status 1. Issue resolved if alternative 2 is in place prior to the buildout of the project (forecast year 2015). However, the traffic study does not realistically analyze LOS at the existing intersection of Route 659 and Route 50. The study shows left and right turn lanes on the Route 659 approach to the intersection. There is no public sector funds programmed for these new turn lanes and none are likely. Also, there are no private sector commitments to providing these lanes. The intersection will operate at lower LOS than forecast in the study. Therefore, the issue of whether this project needs phasing has not been resolved. The applicant could provide the missing turn lanes which would resolve the issue.

Applicant Response, County Status 1:

The attached updated study analyzes the US Route 50/Gum Spring Road (VA Route 659) in its current configuration. Also, it is agreed that alternative 2 (with the completion of the West Spine Road) is the preferred option if it is in place prior to the buildout of the project. Based on meetings with County and VDOT staff, the updated study analyzes a phased buildout of the site. Phase I examines the impacts of the site developed to generate no more trips than those allowed under by-right zoning with the existing road network outlined for alternative 1 (with the northbound lanes of the West Spine Road) in place. Full buildout of the project will be conditioned upon the completion of the West Spine Road between existing Gum Spring Road and U.S. Route 50 as a four-lane roadway and is analyzed accordingly in the attached updated study.

County Issue 2. The applicant should dedicate land sufficient to accommodate the ultimate southbound lanes of the West Spine Road between Route 50 and Tall Cedars Parkway including land necessary for a right turn lane into the interparcel public road. This right-of-way should be dedicated before zoning permits are issued for any development of the site.

Applicant Response 2. *It is the applicant's intention to provide this right-of-way for the West Spine Road.*

County Status 2. *If this right-of-way is provided up-front, the issue would be resolved.*

Applicant Response, County Status 2:

Agreed. It is the applicant's intent to provide the right-of-way for the West Spine Road up-front.

County Issue 3. *The entity which has proffered initial two lanes of the West Spine Road is not responsible for the construction of a median crossover at the West Spine Road and the interparcel local road. The role/obligations of this applicant in providing these intersection improvements needs to be clarified.*

Applicant Response 3. *As mentioned in the previous response, it is the applicant's intention solely to provide right-of-way for the West Spine Road at this time. No construction is proposed for this roadway.*

County Status 3. *Issue not resolved.*

Applicant Response, County Status 3:

As discussed in meetings with County and VDOT staff, it is the applicant's intention to provide right-of-way for the West Spine Road. Necessary median crossovers will be constructed by the applicant where the interparcel local road (South Point Drive) intersects West Spine Road.

County Issue 4. *The applicant's traffic study shows a traffic signal is needed at the West Spine Road/Interparcel Road intersection. The applicant should provide this signal when warranted.*

Applicant Response 4. *Acknowledged.*

County Status 4. *If acknowledged means yes, this issue is resolved.*

Applicant Response, County Status 4:

Agreed. The applicant intends to provide for a traffic signal, when warranted and approved by VDOT, at the West Spine Road/South Point Drive (Interparcel Road) intersection. It is noted that the proposed traffic signal at the West Spine Road/U.S. Route 50 intersection is proffered by multiple projects. These funds could be used by the County to construct the West Spine Road/South Point Drive traffic signal.

County Issue 5. Land should be reserved for a future diamond format interchange at Route 50/West Spine Road. The interchange area reserved by Gum Springs Commercial Center can be used as a guide. Please note the third eastbound Route 50 lane is being built in the median and additional right-of-way is not required.

Applicant Response 5. Acknowledged.

County Status 5. The land reservation for the future interchange should match that which exists on the west side of West Spine Road. A conceptual design exists for this interchange. The applicant could try to document how an interchange could be built in existing Route 50 right-of-way. The reason the third eastbound lane is being built in the median is right-of-way limitations.

Applicant Response, County Status 5:

Agreed. Conceptual designs for the planned US Route 50/West Spine Road have been consulted and incorporated into site plans for the development.

County Issue 6. The applicant's responsibilities for providing a multi-purpose trail along West Spine Road need to be clarified. Such a trail could be within the public right-of-way or a private easement.

Applicant Response 6. Right-of-way for a multi-purpose trail is being provided in the updated site plan.

County Status 6. OTS supports the comment in the Comprehensive Planning referral on trails. Please note that approved construction plans for Route 659 south of Tall Cedars Parkway show trails on both sides of the road.

Applicant Response, County Status 6:

Agreed. Right-of-way for multi-purpose trails is being provided on site plans for the development. However, it should be noted that the applicant has no control over property at the existing Gum Spring Road (VA Route 659)/Tall Cedars Parkway intersection or south of it.

County Issue 7. There appears to be no pedestrian facilities on site. Appropriate pedestrian facilities should be provided.

Applicant Response 7. Appropriate pedestrian facilities are included in the updated site plan.

County Status 7. The sidewalk network shown on the Special Exception Plat is appreciated. Please note sidewalks should be a minimum of 5 feet in width. OTS agrees with Comprehensive Planning on the need for, and characteristics of, a pedestrian crossover of the West Spine Road.

Applicant Response, County Status 7:

Agreed. Sidewalk widths have been designed to be 5 feet in width. A pedestrian crossover of West Spine Road has been provided on the site plan in conformance with OTS and Comprehensive Planning comments.

County Issue 8. The location and funding responsibilities for the future cul-de-sac on existing Route 659 south of Route 50 needs further discussion. OTS does not object to the location shown in the applicant's traffic study provided right-of-way can be obtained and it is constructed at no cost to the public. It is noted the applicant's desires to abandon existing Route 659 along their frontage. OTS does not object providing the cul-de-sac issue is resolved. Please note that assuming the abandonment, the alignment shown for existing Route 659 to Tall Cedars Parkway in the traffic study is impossible.

Applicant Response 8. Acknowledged. It should be noted that the attached updated traffic study assumes that if existing Gum Spring Road were cul-de-saced, right-in/right-out access at U.S. Route 50 would be maintained and access from existing Gum Spring Road to Tall Cedars Parkway would be abandoned.

County Status 8. A location for a cul-de-sac of existing Route 659 acceptable to OTS is being reviewed as part of a CPAP for the road. The applicant is proposing that the median crossing and signal at the intersection of existing Route 659/Route 50 be removed, but that a right turn in/right turn out entrance be allowed to remain. OTS views this as a VDOT decision until this section of Route 50 becomes limited access. Once the interchange at the West Spine Road is constructed, this entrance should be closed. In the interim, if VDOT allows the entrance, the right turn lane will need to be improved to comply with the recently issued "VDOT Access Management Regulations for Principal Arterials, July 1, 2008." Improvements to the turn lane should be the responsibility of the applicant.

Applicant Response, County Status 8:

Acknowledged. As mentioned previously, the two scenarios analyzed in the attached updated study were based on consultation with VDOT and assume full access at Gum Spring Road (VA Route 659)/U.S. Route 50 in phase 1 and right-in/right-out access at build out.

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VIRGINIA DEPARTMENT OF TRANSPORTATION, NORTHERN VIRGINIA DISTRICT (ARSALAN FAGHRI, 9/2/08)

Comment 1. The use of delay and LOS is not an appropriate choice when comparing different traffic control devices. The definition of delay and thresholds for LOS are different when comparing a stop controlled intersection and a signal control intersection. We recommend comparing queue lengths at intersections where two different traffic controls is being compared.

Applicant Response:

Agreed. It should be noted, however, that no comparisons between the stop controlled intersections and signalized intersections were drawn in the report. The goal of the previous report was to compare the traffic conditions under the Approved Zoning to that under the Special Exception Zoning within Alternatives 1 and 2. You will note that the traffic control assumed for Alternative 1 remained consistent when comparing the traffic conditions with the Approved Zoning to those with the Special Exception Zoning. Similarly, the traffic control assumed for Alternative 2 remained consistent when comparing the two zoning conditions.

As discussed in meetings with VDOT and County staff, the attached updated study analyzes the project under phased conditions. Phase I assumes the number of trips generated by the site will be no more than that allowed under by-right zoning. The roadway network assumed for Phase I adheres to that shown in the previous study for Alternative 1. Buildout of the site will be predicated on the completion of the West Spine Road between U.S. Route 50 and existing Gum Spring Road to the south as a four-lane roadway.

Comment 2. Please include a narrative, within the TIA, explaining the assumptions used for the proposed traffic patterns. Some of the movements seem illogical. For example:

- A. At the intersection of Rt. 50 and Gum Spring Road, the southbound left and thru movements are obliterated in Alternative 2. Please explain where would traffic from these movements go?*
- B. How would traffic on northbound Rt. 50 and Gum Spring Road who want to go thro or left would operate?*

Applicant Response:

According to the lane use shown on Figure 4 of the previous report, the existing traffic patterns would largely stay in place during Phase 1, with the exception of the diversion of northbound traffic on Existing Gum Spring Road

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(Route 659) destined for eastbound US Route 50 to the proposed northbound lanes of West Spine Road. Traffic patterns for Phase 2 would change due to the proposed right-in/right-out configuration of the Existing Gum Spring Road (Route 659)/US Route 50 intersection, as shown on Figure 4 of the report. It was assumed that traffic wishing to utilize the southbound left or through movements at this intersection would be dispersed to the Stone Springs Boulevard intersection to the west or the Loudoun County Parkway intersection to the east. Similar to the traffic patterns noted for Phase 1, under Phase 2 all northbound traffic at the Existing Gum Spring Road (Route 659)/US Route 50 intersection would be diverted to the proposed full-movement West Spine Road/US Route 50 intersection and would be able to continue east or west on US Route 50 or north on Existing Gum Spring Road (Route 659) at the adjacent intersection to the west.

Comment 3. *The intent for developing two alternatives for the TIA is to examine each alternative independently and determine the traffic impacts and improvements for each alternative separately. The study includes improvements for Alternative 2, however it fails to analyze and determine needed improvements for Alternative 1. We recommend the TIA to include improvements for Alternative 1, similar to what has been done for Alternative 2.*

Applicant Response:

A discussion of the feasibility of possible improvements associated with Alternative 1 was included in the previous report under the "Total Future Capacity Analysis" section on page 18. This discussion is continued similarly in the updated addendum.

Comment 4. *Short cycle lengths used in the analysis are unacceptable. Please revise Synchro analysis to indicate appropriate cycle lengths.*

Applicant Response:

This has been corrected and updated in the attached study.

Comment 5. *Synchro outputs show numerous movements operating at LOS D or lower. Recommendations for improvements should include every movement that operates at LOS D or lower.*

Applicant Response:

As previously mentioned, a discussion of the feasibility of possible improvements for movements that are expected to operate beyond capacity (LOS E or worse) was included in the previous report under the "Total Future Capacity

Analysis" section on page 18. This discussion is continued similarly in the updated addendum. Further, level of service criteria in the area considers LOS D to be acceptable. Thus, no discussion of mitigation of movements that operated at LOS D or better was included in this report.

Comment 6. The TIA should include left and right turn lane warrant analysis for critical movements based on VDOT guidelines. Capacity alone is not sufficient to determine the number of left or right turn lanes.

Applicant Response:

As noted on page 19 of the previous and updated studies, left and right turn lanes were assumed to be required since the Loudoun County Countywide Transportation Plan (CTP) requires left and right turn lanes for all side-street connections to West Spine Road.

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY MANAGEMENT (MARIA FIGUEROA TAYLOR, 8/21/08)

Thank you for the opportunity to review the applicant's response to first referral comments dated December 7, 2007 regarding above-captioned application. The Applicant adequately addressed our concerns and we have no further comments.

Applicant Response:

No comment.

LOUDOUN COUNTY HEALTH DEPARTMENT (JOHN P. DAYTON, 8/18/08)

This department reviewed the package and plat, prepared by Huntley, Nyce & Associates, Ltd. revised 02-10-08, and has no comment on the proposal.

Applicant Response:

No comment.

Please feel free to contact me if you have any questions or comments concerning this referral response package.

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Sincerely,

WALSH, COLUCCI, LUBELEY, EMRICH
& WALSH, P.C.



Michael Romeo, AICP
Land Use Planner

Enclosures: Updated Special Exception Plat
Updated Statement of Justification
Updated Traffic Impact Analysis Addendum
S. Patz and Associates Letter

cc: Jim Forster, DCI Construction Management, Inc.
Sam Vaid, Sarswati, LLC
Reza Hakimi, Huntley, Nyce & Associates, Ltd.
Michael Workosky, Wells & Associates, Inc.
Phil Hammer, S. Patz & Associates, Inc.

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**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Michael Romeo, AICP
Land Use Planner
(571) 209-5772
mromeo@ldn.thelandlawyers.com

July 30, 2008



Via Hand Delivery

Mr. Stephen Gardner, Project Manager
Loudoun County Department of Planning
One Harrison Street, S.E., Third Floor
Leesburg, VA 20177

Re: SPEX 2007-0029: West Spine Plaza Referral Response Letter

Dear Mr. Gardner:

This letter addresses and provides you with a written response to the referral agency comments for the above referenced Special Exception application. For your convenience, each of the staff comments are stated below and the Applicant responses follow in bold italics.

LOUDOUN COUNTY DEPARTMENT OF PLANNING, COMMUNITY PLANNING
(Sarah Millin, Planner, 11/26/07)

PROJECT DESCRIPTION

DCI Construction Management, Inc. has submitted this Special Exception request to allow a bank with a drive-through, a gas station with a convenience store and car wash, a restaurant, and ground-floor retail within an office building on the subject property. The proposed Special Exception uses will accompany several permitted uses on the parcel, including a hotel with a restaurant and conference center, flex-industrial space, office, and warehouse uses. The property is currently zoned CLI (Commercial – Light Industry). Altogether, 161,903 sq. ft. of non-residential uses and six buildings are planned for the property, as follows:

(Summary of Proposed Uses by Building Table)

PHONE 703 737 3633 ■ FAX 703 737 3632 ■ WWW.THELANDLAWYERS.COM
1 E. MARKET STREET, THIRD FLOOR ■ LEESBURG, VA 20176-3014

ARLINGTON OFFICE 703 528 4700 ■ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

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The subject property (MCPI 204-20-3829) consists of approximately 20.06 acres and is located on the south side of Route 50, just east of Gum Springs Road (Route 659) (see *Vicinity Map, pg. 2*). The planned West Spine Road will bisect the site in the future; two lanes of this roadway are currently built through the site. The subject property is surrounded by the following developments:

- Gum Springs Village Center to the west (approved pursuant to SPEX 2003-0033 for 56,000 sq. ft. of retail uses; currently under construction);
- Gateway Community Church to the south (currently unbuilt);
- Community Corner also to the south (an active application for six commercial pad sites, including two banks with drive-thru facilities, a pharmacy with a drive-through facility, and two retail/office buildings; see ZMAP 2006-0024 & SPEX 2006-0037); and
- The existing Meadows Farms Nurseries and long Fence immediately to the east.

(Vicinity Map)

The majority of the subject property is currently vacant and forested. The remains of a twentieth-century homestead first occupied between 1941 and 1943 were identified in the northwest corner of the site, adjacent to Gum Springs Road. A review of County GIS records indicates that several elements of the Countywide Green Infrastructure are present on the site, including existing vegetation, streams, and a wetland. The northern portion of the site is located within the Ldn 60 airport noise contour, with the remainder within the Ldn 60 1-mile buffer. An underground water easement runs along the southern boundary of the site. No floodplains or steep slopes are present.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

Guidance for development of the subject property is provided by the Revised General Plan, as amended by the Arcola Area/Route 50 Corridor Plan. The Revised Countywide Transportation Plan, the Countywide Retail Plan Amendment ("Retail Plan") and the Bicycle and Pedestrian Mobility Master Plan ("Bike/Ped Plan") also apply. The site is located in the Dulles Community of the Suburban Policy Area. The Revised General Plan designates the site as suitable for Business Community and Hybrid Retail Center uses (*Arcola Area/Route 50 Corridor Plan, Planned Land use Map*).

ANALYSIS

1. LAND USE

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The future alignment of the West Spine Road forms a physical boundary between the two land uses on the subject property, with business uses recommended to the west and hybrid retail uses recommended to the east. The type of development anticipated with these two land uses is discussed in greater detail below. The West Spine Road (Route 606) is identified in the Countywide Transportation Plan (CTP) as a four-lane, median divided roadway in a 120-foot right-of-way.

(Planned Land Uses Graphic)

a. Business Community

The Arcola Area/Route 50 Corridor Plan states that areas designated Business in the Route 50 Corridor shall be subject to the policies and land use mix ratios of Chapter 6 except as modified or supplemented by the Corridor Plan (*Arcola Area/Route 50 Corridor Plan, Policy 1, pg. 5*). The Revised General Plan calls for planned Business areas to develop as either a Regional Office or a Light Industrial development. Such developments can include a mix of land uses, including commercial retail and services, but regional office uses should constitute the majority of the land area (Revised General Plan, text, pg. 6-28 and 6-29). In the Route 50 corridor, in order to address the deficit of retail uses and the potential for tourism in this area, the County can consider retail/commercial service uses that exceed the 10 percent maximum set out for Business Communities in Chapter 6 as long as the following criteria are met:

- 1) The retail use provides the goods and services needed by local employment and residential communities and/or supports the development of tourism in the Route 50 corridor;
- 2) The retail use is compatible with and can illustrate a coordinated design, transportation connection or other relationship with the surrounding communities that exist or have been approved;
- 3) The retail use does not access Route 50 directly;
- 4) The proposal provides adequate and appropriate transportation infrastructure; and
- 5) The proposal conforms to policies in the Retail Plan (*Arcola Area/Route 50 Corridor Plan, Policy 2, pg. 5*).

Within the portion of the site planned for Business uses, the application proposes a permitted office/flex industrial warehouse facility and the following Special Exception uses: a restaurant and a gas station with a convenience store and a car wash. The proposed land use mix is dominated by commercial retail and service uses and is not consistent with the land use mix for a business community. The project should therefore meet the criteria outlined above. In this case, the project clearly meets three

of the five criteria. The proposed retail uses will be compatible with adjacent developments, including Gum Spring Village to the west and Gateway Community Church and Community Corner to the south; no direct access onto Route 50 is proposed; and planned roadway improvements include the construction of the West Spine Road through the site. However, additional information and changes to the project are needed so that the project will fully comply with the following two criteria:

Criteria #1: *The retail use provides the goods and services needed by local employment and residential communities and/or supports the development of tourism in the Route 50 corridor.* The Retail Plan states that all applications for commercial retail rezonings must include a statement describing the catchment or market area to be served as well as a statement of justification that contains an analysis of existing and proposed competing projects (*Retail Plan, Policy 4, p.6*). The application includes market studies for only the proposed uses for which the applicant has no committed users, namely the hotel, office space, and flex space; market studies have not been provided for the proposed retail uses. As such, it is not clear whether the local employment and residential communities need these services given that the same uses have already been approved in this area, as shown in the graphic below. If these services are not needed, then the application should demonstrate how the project will support the development of tourism in the Route 50 corridor to meet the first criteria.

(Uses Planned in the Vicinity of the Site Graphic)

Staff notes that this intersection may in the future become desirable for larger-scaled office development due to its location at the intersection of two major roadways (Route 50 and the West Spine Road), where a grade-separated interchange is planned. Overall, the developments planned and proposed southwest of the Route 50/West Spine Road intersection do not advance the Plan's vision for a Business Community at this location; rather than having significant office development, the predominant land use appears to be strip commercial development. Although the applicant proposes some office within the planned Business area, it is not significant (only 10,000 sq. ft.) and is part of a 1-story building containing flex industrial/warehouse uses. If the applicant cannot adequately demonstrate that the proposed retail uses are needed by the surrounding residential and employment community or supportive of tourism, then it may be appropriate to retain this section of the property for more significant office development.

Criteria #2: *The retail use is compatible with and can illustrate a coordinated design, transportation connection or other relationship with the surrounding communities that exist or have been approved.* Although the applicant states as justification for the proposed application that goods and services will be provided that are supportive of the

growing residential population in this area, no pedestrian linkages are proposed along South Point Drive or the West Spine Road. The future West Spine Road is identified in the Bike/Ped Plan as a baseline connecting roadway and envisions such roadways with off-road, shared use paths. Shared use paths should be designed to accommodate both pedestrian and bicycle traffic and should include connections to activity centers both within a development and on adjacent properties. Shared use paths should maintain a minimum width of ten feet. Staff notes that Gum Springs Village Center (SPEX 2003-0033) committed to providing sidewalks on both sides of South Point Drive and Community Corner (ZMAP 2006-0024 & SPEX 2006-0037) committed to a 10-foot wide, asphalt shared use path along West Spine Road. To ensure that the developing trail network is not compromised, this project should provide similar linkages and bicycle racks.

The project, as currently proposed, does not meet all the criteria needed to justify additional retail in the planned Business area west of the West Spine Road. Specifically, information regarding the market area of the proposed gas station and restaurant should be provided so that staff can determine whether a need for such uses exist and will not be fulfilled by the other projects planned in the vicinity of the site. This analysis should not only consider competing retail projects that have already been developed, but also those that have been proposed and/or approved. Such information will also allow staff to determine if the proposed uses will support the development of tourism in the Route 50 corridor.

Staff also recommends that adequate pedestrian travelways be provided, specifically sidewalks on both sides of South Point Drive and 10-foot wide shared use paths on both sides of the West Spine Road. Bicycle racks should also be provided.

Applicant Response:

The Applicant has reviewed the adjacent projects and has determined that a gas station and restaurant use and additional retail uses on the West Spine Plaza application would not compete with surrounding projects. Given the significant amount of development that has been approved for the greater Dulles Planning Area, an additional gas station and an additional restaurant use would help meet the demand for these uses from existing and proposed households in the Dulles Planning Area.

Based on the recently published "2007 Growth Summary" from the Loudoun County Department of Economic Development, it is clear that the Dulles Planning Area is experiencing and will continue to experience significant residential growth. In fact, over 35 percent of the building permits issued in 2007 were in the Dulles Planning Area. See attached table F-4. Historically speaking, the Dulles planning sub-area is the second fastest growing sub-area (behind Ashburn) in the

entire county. According to table F-5 of the 2007 Growth Summary, almost 20 percent of all building permits issued over the last 10 years were in the Dulles South planning area. In fact, 10,980 permits were issued over that 10 year period. These new residential households require additional retail services, including gas stations and restaurants. By having these facilities located in West Spine Plaza, residents within the Route 659 corridor can limit the distance of their trips for both gas and restaurant needs.

Table F-4
Residential Building Permits Issued for Towns and Planning Subareas, 2007
Loudoun County, Virginia

	Permits Issued for New Units			Total	Distribution
	Single-Family Detached	Single-Family Attached	Multi-family		
Incorporated Towns					
Hamilton	3	0	0	3	1.5%
Hillsboro	0	0	0	0	0.0%
Leesburg	5	63	0	68	34.2%
Lovettsville	44	12	0	56	28.1%
Middleburg	0	7	20	27	13.6%
Purcellville	42	0	0	42	21.1%
Round Hill	3	0	0	3	1.5%
Total	97	82	20	199	100.0%
Planning Subareas					
Ashburn	499	343	154	996	36.4%
Dulles	404	482	72	958	35.3%
Leesburg	131	81	0	212	7.7%
Northwest	80	12	0	92	3.4%
Potomac	4	29	55	88	3.2%
Route 15 North	78	21	0	99	3.6%
Route 15 South	77	5	0	82	3.0%
Route 7 West	146	0	0	146	5.3%
Southwest	21	7	20	48	1.8%
Sterling	2	6	0	8	0.3%
Total	1,442	996	301	2,739	100.0%

Source: Loudoun County Department of Building & Development. Compiled by: Loudoun County Department of Management and Financial Services.

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Table F-5
Residential Building Permits Issued by Planning Subarea, 1997-2007
Loudoun County, Virginia

Planning Subarea	Number of Permits for New Units											Total	Distribution
	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	1997-2007	1997-2007
Ashburn	1,282	1,946	2,245	2,395	1,817	3,275	2,444	2,854	1,825	1,171	998	22,230	40.0%
Dulles	504	684	748	679	504	651	2,148	1,507	1,558	1,031	988	10,980	19.8%
Leesburg	619	785	911	1,435	1,330	1,104	1,037	762	631	161	212	8,967	16.1%
Northwest	46	73	101	120	77	118	108	185	205	146	92	1,271	2.3%
Potomac	499	990	817	590	477	176	116	159	75	106	88	4,083	7.3%
Route 15 North	51	58	31	31	31	57	57	93	152	97	99	757	1.4%
Route 15 South	24	27	29	36	14	20	24	31	54	66	82	407	0.7%
Route 7 West	271	267	297	381	326	384	480	582	464	233	146	3,791	6.8%
Southwest	49	50	71	75	26	55	72	44	73	35	48	598	1.1%
Sterling	180	414	619	402	110	156	171	396	30	15	8	2,501	4.5%
Total	3,505	5,274	5,869	6,134	4,712	5,976	6,657	6,593	5,065	3,061	2,739	55,585	100.0%

Source: Loudoun County Department of Building & Development. Compiled by: Loudoun County Department of Management and Financial Services.

Concerning the pedestrian trails on both sides of South Point Drive, the application has been revised to show two four-foot wide sidewalks in the South Point Drive right-of-way. It is the intent of the Applicant to make this a very pedestrian friendly retail development, as indicated by the revised site layout that includes numerous pedestrian walkways throughout the site, including at 10-foot wide shared use path running along the West Spine Road. The Applicant is willing to provide bicycle racks on the site.

b. Hybrid Retail Center

Hybrid Retail Centers provide for convenience and routine shopping needs and can also incorporate some larger-scale retailers that are typically characterized as Destination Retail. Other types of uses, such as office, light industrial, and civic uses, are anticipated to develop in this area (*Arcola Area/Route 50 Corridor Plan, Policy 1, pg. 6*). Strip retail development is discouraged in the Route 50 corridor; rather, the County encourages the consolidation of CLI properties to encourage coordinated development with minimal access points (*Arcola Area/Route 50 Corridor Plan, Policy 4, pg. 7*).

Within the portion of the site planned for Hybrid Retail Center uses, the application proposes a permitted 4-story hotel with an accessory restaurant and conference center, a 3-story office building with ground-floor retail, and the following Special Exceptions uses: a bank with a drive-through and 18,000 sq. ft. of retail on the first floor of the office building. The proposed Special Exception uses are the types of retail uses that are anticipated to develop in the Hybrid Retail Center area. However, future interparcel connections to the east should be considered. The parcel immediately adjacent to the site belongs to Meadows Farms, Inc. and contains greenhouses, warehouses, open storage areas, and an office building.

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Staff finds that the proposed Special Exception uses east of the West Spine Road are consistent with its hybrid Retail Center designation. However, staff recommends that the applicant coordinate interparcel access with the property owner immediately east of the site.

Applicant Response:

The Applicant has concerns with staff's assessment of the inter-parcel access with the adjacent property. The Applicant will provide an easement area for inter-parcel access with adjacent property owners including the Community Church to the south and the McPherson property to the northwest.

The property owner to the east is a much more intensive land use and it is inappropriate for the trucks that use this property to access through the West Spine Plaza. The Applicant suggests that an inter-parcel access point located elsewhere, possibly to the south of the West Spine Plaza, is more appropriate.

2. EXISTING CONDITIONS

The Plan defines the County's Green Infrastructure as a "collection of natural, cultural, heritage, environmental, protected, passive, and active resources that will be integrated in a related system (*Revised General Plan, Policy 1, pg. 5-1*). As shown below, on-site environmental resources include forest cover, streams, wetlands, diabase soils, and historic resources. The site is also impacted by the Ldn 60 and the Ldn 60 1-mile buffer airport noise contours. An underground water easement runs along the southern boundary of the site.

The project does not propose to preserve any of the site's existing features. However, staff notes that a total of 703 parking spaces are proposed for the site, 65 more than required by the Zoning Ordinance. The County discourages developments to provide more parking spaces than are required by the Zoning Ordinance in order to minimize the creation of unnecessary or seldom used impervious surfaces (*Revised General Plan, Policy 1, p. 6-30*). The total impervious area on the subject site could be reduced by approximately 10,530 sq. ft.¹, or 0.24 acres, if only the required number of parking spaces is provided. This area could instead be used to preserve some of the site's environmental features, for example by incorporating tree save areas or low impact development (LID) measures within the project.

¹ A typical parking space measures approximately 9 by 18 feet, or 162 sq. ft. per space. 65 parking spaces x 162 sq. ft. = 10,530 sq. ft.

(Existing Conditions Graphic)

a. Existing Vegetation

Existing natural features such as hedgerows, mature trees, and berms should be integrated into the landscape plan for retail centers, when feasible (*Retail Plan, Policy C.3, pg. 21*). The Arcola Area/Route 50 Corridor Plan also emphasizes the protection of mature vegetation and encourages the use of features such as floodplains and hedgerows to buffer and separate different uses (*Arcola Area/Route 50 Corridor Plan, Policy 2d, pg. 8*). Plan policies also call for the submittal and approval of a tree conservation or forest management plan prior to any land development that "demonstrates a management strategy that ensures the long-term sustainability of any designated tree save area" (*Revised General Plan, Policy 3, pg. 5-32*).

With the exception of the waterline easement along the southern boundary and the existing portion of the West Spine Road, the site is entirely forested. The application includes a Forest Stand Delineation prepared by Angler Environmental (dated January 6, 2007) which describes and maps the five forest community types that were found on the property. Thirty-four large trees (oaks and hickories) with a dbh greater than 19 inches were also identified. Although the property contains forest stands and individual trees that are worthy of protection, it appears as though the site will be completely cleared for development.

Staff recommends that the application preserve and incorporated existing trees and tree stands into the proposed development by delineating specific Tree Conservation Area (TCAs) on the Special Exception plat. Logical locations for preservation include within the required perimeter buffers, public spaces (such as the plaza located between the hotel and retail/office building), parking lot islands, etc. To fully assess the site's potential to retain the significant trees identified in the tree survey, staff recommends that an exhibit be prepared which overlays the proposed development layout over the tree cover survey.

Applicant Response:

While the Applicant appreciates staff's concerns related to the amount of parking located on-site, the parking requirements listed in the Zoning Ordinance, in certain instances, do not reflect the retail market reality of the amount of parking spaces that are required for certain uses. In this instance, the flex-industrial, office, gas station, and bank uses require additional spaces to meet the market demand. With that said, the Applicant has reduced it's overall parking space count from 703 spaces to 665 spaces, which is now just 22 more spaces than the amount required by the Zoning Ordinance. Despite an increase in the site's square footage, this parking reduction will still meet the anticipated parking

demand while respecting and addressing the environmental concerns raised by staff.

Based on the revisions to the site layout, the Applicant is now providing two tree save areas on the site. These tree save areas are located primarily along the property's Route 50 frontage. Due to the grading that will occur on the site, the Applicant is unable to incorporate additional tree save areas on the site.

b. Streams and Wetlands

Plan policies encourage the preservation of both streams and wetlands (Revised General Plan, Policy 11, pg. 5-9 and Policy 23, pg. 5-11). Two drainage swales bisect the subject property. The south to north stream contains a headwater wetland drainage, identified as a palustrine forested wetland (PFO), in the southwest corner of the site within the West Spine Road reservation area. This delineation has been confirmed by the U.S. Army Corps of Engineers. The proposed development will completely impact both the streams and the wetland area. However, opportunities to preserve these features are limited given that the stream is impacted downstream by Gum Spring Village Center and the wetland is located where a roadway is planned.

c. Stormwater Management

The County encourages new developments to incorporate low impact development (LID) techniques (Revised General Plan, Policy 2, pg. 5-17). One stormwater management pond has been identified on the Special Exception plat on the existing stream, adjacent to the proposed restaurant west of the future West Spine Road.

Staff recommends confirmation that the proposed management pond will be sufficient to treat the entire site's stormwater. Staff also recommends that site's stormwater management approach integrate low impact development (LID) techniques given the amount of surface parking proposed, such as planting vegetation in buffer strips and/or rain gardens adjacent to roadways and within parking areas or open space areas.

The application should also commit to developing the proposed stormwater management facility as unique and attractive features of the site in order to enhance the character of the proposed project. For instance, a naturally-shaped stormwater management pond heavily landscaped with native vegetation and accented by an adjacent outdoor sitting area could be a nice feature for the adjacent restaurant.

Applicant Response:

The Applicant will provide at the site plan stage of review a detailed stormwater management design that will integrate low impact development (LID) techniques such as extended detention and sediment forebays to compensate for the loss of

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the palustrine forested wetland areas. The proposed stormwater management pond will be able to treat the site's stormwater.

The Applicant will commit to providing landscaping with native vegetation around the naturally-shaped stormwater management pond. The Applicant anticipates that the stormwater management pond will become an aesthetically pleasing feature and an asset to the retail development that will allow the restaurant to construct an outdoor seating area to take advantage of its surroundings.

c. Historic Resources

Plan policies state that the County will require an archeological and historic resources survey as part of all development applications (Revised General Plan, Policy 11, pg. 5-36). The application includes a Phase 1 archeological survey for the property which identified the remnants of a twentieth-century farmstead first occupied between 1941 and 1943. The survey concluded that the site has little potential to contribute important information on the history of the area and recommended no further work. Staff's review of the submitted report will be sent under separate cover.

Staff recommends that the application commit to a reduced glare lighting plan.

Applicant Response:

The Applicant will commit to a reduced glare lighting plan in accordance with the standards set forth in the Facilities Standards Manual.

3. SITE DESIGN AND LAYOUT

Overall, the Revised General Plan calls for new development in the County to achieve and sustain a built environment of high quality (Revised General Plan, Policy 1, pg. 5-5). The Arcola Area/Route 50 Corridor Plan and the Retail Plan provide a number of design guidelines that are intended to create an attractive gateway to Loudoun County. In addition, the Route 50 Corridor Design Guidelines provide a set of recommendations that illustrate the type of development that is desired within the corridor.

a. Building/Parking Placement

Plan policies discourage strip development of any type (Retail Plan, Policy 6, p. 6 and Revised General Plan, Policy 11, p. 6-7). In general, retail developments should be designed compactly so as to create vibrant, pedestrian-oriented development that promotes community interaction and preserves open space for other uses (such as landscape buffers, civic spaces, trails, etc.). Buildings should be the predominant feature of the development when viewed from adjoining roadways (Retail Plan, Policy C.1, pg. 20). Thus, the placement of large parking lots at the street edge should be

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generally avoided. When unavoidable, parking areas should be visually screened from adjacent streets and residential areas by heavy landscaping, depressing the parking area, and/or constructing earthen berms (*Retail Plan, Policy B.3, pg. 21*).

The proposed development is similar to a strip commercial development in that it proposes several standalone buildings and retail paid sites (for the restaurant, the bank, and the gas station) that are surrounded, and separated from one another, by surface parking areas. Parking areas will be visible from both South Point Drive and the West Spine Road.

Although the gas station needs to be separated from the other uses, opportunities exist for both the bank and the restaurant to be relocated.

Staff recommends that the proposed restaurant be relocated closer to South Point Drive in order to frame the street, unless it can be demonstrated that its current location (adjacent to the stormwater management pond) will provide more benefits. This could be accomplished by committing to landscaping the pond and placing a sitting/eating area adjacent to it. Staff also recommends that the proposed drive-through bank be relocated northward so that it has a stronger relationship with the other buildings (the hotel, conference center, and office building) proposed east of the West Spine Road. Lastly, enhanced landscaping should be provided wherever parking areas are proposed adjacent to South Point Drive and the West Spine Road. The enhanced landscaping should include existing trees, as feasible.

Applicant Response:

The site layout has been revised to move the restaurant closer to South Point Drive while maintaining access to all four sides to maximize fire safety access. The site layout has also been revised to move the bank to a location that facilitates a more pedestrian friendly connection to the hotel, conference center, and mixed use building. In addition, a detailed landscape plan is provided as sheet 4 of the Special Exception Plat. As shown in the Landscape Plan, additional enhanced landscaping will be provided.

b. Architectural Design of Buildings

Facades of retail buildings should be articulated with distinct architectural details, recesses, off-sets, angular forms or other such features to contribute to the design character of an area (*Retail Plan, Policy A.6, pg. 20 and Route 50 Corridor Design Guidelines, pg. 40*). For instance, facades that change materials (e.g., brick, stone, etc.) or incorporate a continuous water table, pilasters, or cornice can reinforce scale and provide visual interest. Buildings within a multi-building retail center should exhibit a unit of design through the use of similar features such as rooflines, materials, window

arrangement, sign location and architectural details (*Retail Plan, Policy A.3, pg. 20*). Distinctive roof forms are encouraged (*Retail Plan, Policy A.7, pg. 20*). Gas canopies should use forms, colors and materials that complement the adjacent building design (*Route 50 Corridor Design Guidelines, pg. 29*). No information regarding the proposed architecture of the buildings has been provided.

Staff recommends information or renderings of the proposed architectural design of the buildings so that staff can assess compliance with Plan policies. Staff also recommends commitments that will ensure that all the buildings will be unified and exhibit a high quality of design and materials, as envisioned in the Route 50 corridor.

Applicant Response:

Revised renderings of the proposed buildings will be provided when they become available. The Applicant notes that the proposed design of the buildings will comply with Plan policies, will be unified, and will exhibit a high quality of design and materials, as envisioned for the Route 50 corridor. Given the high visibility of this retail site, the design of the individual commercial buildings will be very similar, if not improved, over similar projects in the area.

c. Usable Outdoor Spaces

Freestanding restaurants are encouraged to provide usable outdoor spaces (*Retail Plan, Policy A.4, pg. 20*). The Special Exception plat indicates that a plaza is proposed between the hotel and three-story office building. No outdoor space is proposed west of the West Spine Road where the restaurant, gas station, and office/flex industrial warehouse facilities are proposed.

Staff encourages the Applicant to consider providing a usable outdoor space adjacent to the stormwater management pond to serve the proposed restaurant. If such a space is not provided, as mentioned above, the staff recommends that the building be shifted westward so that it is adjacent to South Point Drive.

Applicant Response:

The revised design provides usable outdoor open space west of the Spine Road in the area of the stormwater management pond. A more detailed design will be provided at the time of site plan.

d. Screening of Mechanical Equipment

All rooftop and ground-mounted mechanical equipment should be screened (*Retail Plan, Policy A.8, pg. 20*).

Staff recommends a condition that all mechanical equipment will be screened. Preferably, rooftop equipment should be incorporated into the roof form. Ground-mounted equipment and dumpsters should be screened by a fence or a wall of similar construction to the principle walls of the structure that the equipment services.

Applicant Response:

The Applicant would agree to a proposed condition for screening of all roof top equipment.

d. Signage

The Plan calls for signs for retail centers to be "developed as an integral part of the overall center design. A unified graphic design scheme is strongly encouraged" (*Retail Plan, Policy D1, p. 21*). Designers should seek to limit the use of signs as well as reduce the size of signs and other features that may create negative visual impacts on the surrounding community and Route 50 (*Revised General Plan, text, pp. 6-20*).

Signage along Route 50 as a southern gateway, like the buildings themselves, is used to communicate the County's image and identity. Signage should generally exhibit a high quality of design and materials that complement the proposed buildings. Signage is usually limited to free-standing monuments and wall-mounted signs. If signs are well presented and coordinated, the image of the business or commercial center as well as the individual tenant is enhanced. The signage in conjunction with landscaping and buildings all contribute to the visual quality that defines a gateway into the County. The only signage shown on the proposed Concept Development Plan (CDP) is a proposed monument sign at the site's eastern entrance off of the West Spine Road. No other information is provided regarding the size and materials of the monument signs. Staff is unsure what other type of signage is planned for the proposed development.

Staff requests information pertaining to the size and location of signage. The proposal should include a unified design consistent with gateway design features, which call for a high level of design quality and minimal use of signs along Route 50.

Applicant Response:

It is unclear as to what types of signage will be proposed on the Property. Nevertheless, the signage will provide a high level of design quality and will likely have a minimal impact on Route 50.

RECOMMENDATIONS

Community Planning staff is not able to recommend approval of the Special Exception request at this time because the proposed development does not fully conform with Plan policies in terms of proposed use and design. Specifically, staff recommends the following:

- Provide a market analysis for the proposed gas station and restaurant;
- Provide sidewalks along South Point Drive and a 10-foot shared use path along the West Spine Road;
- Provide bicycle racks (2);
- Consider providing an interparcel access point to the parcel to the east;
- Incorporate existing vegetation into the design of the site;
- Commit to mitigating wetland and stream impacts close to the property;
- Incorporate low impact development (LID) techniques;
- Commit to a reduced glare lighting plan;
- Relocate the restaurant closer to South Point Drive, unless the stormwater management pond is enhanced to provide benefits for its current location;
- Relocate the drive-through bank northward;
- Provide enhanced landscaping to screen parking areas that are adjacent to roadways;
- Providing information and commitments regarding the architectural design of the buildings;
- Commit to screening mechanical equipment; and
- Provide information regarding signage.

**LOUDOUN COUNTY DEPARTMENT OF BUILDING AND DEVELOPMENT, ZONING
ADMINISTRATION REFERRAL (Cindy Lintz, Planner, 12/4/07)**

I. APPLICATION SUMMARY

The applicant, DCI Construction Management, Inc., is requesting special exception approval to develop a bank with drive through, a car wash, a convenience store with gas pumps, one restaurant and a retail sales establishment on a parcel located within the CLI (Commercial Light Industry) zoning district under the Revised 1993 Loudoun County Zoning Ordinance ("Ordinance"). The 20.06 acre parcel is located within the Airport Impact Overlay District.

Zoning Administration staff has reviewed the following items as part of the 1st submission of the above-referenced special exception application:

- A. Information Sheet (w/Easement Agreement, VDHR memo dated 11/30/04, VDCR memo dated 12/2/04))

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- B. Statement of Justification dated January 25, 2007
- C. Phase I Cultural Resources Investigation dated January 25, 2007
- D. Tree Stand Delineation dated January 6, 2007
- E. Wetland Determination dated December 2007
- F. Fiscal Impact Analysis dated March 1, 2007 (OTS, VDOT, PM & File)
- G. Special Exception Plat dated February 10, 2007 revised through July 27, 2007

The following issues have been identified and must be addressed in order for the application to be in conformance with the Ordinance:

II. CONFORMANCE WITH THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE

1. With the inter-parcel access the uses west of West Spine must be permitted on both parcels. Gateway Community Church is currently CLI, but has a rezoning application to PD-CC-CC. The by-right flex Warehouse use is not allowed in PC-CC-CC.

Applicant Response:

The Applicant disagrees with this assessment of the inter-parcel connections that will be provided between the Sarswati Property and the Gateway/Community Corner properties to the south. Section 3-907 (A) of the Zoning Ordinance states, "To the maximum extent feasible, land development applications shall identify opportunities and methods for shared access and inter-parcel linkages." This section of the Zoning Ordinance clearly advocates for inter-parcel connections to adjacent properties. It is unclear as to which section of the Zoning Ordinance is referenced by this comment.

2. The proposed Special Exceptions, bank with drive through and retail establishment, are by Special Exception. The inter-parcel access through Gateway Community Church, zoned CLI, does not have those uses as permitted uses by Special Exception. Therefore, those uses are not allowed unless a different access point is located.

Applicant Response:

Again, the Applicant is confused by this reference and disagrees with the assessment. There is no reference in the Zoning Ordinance prohibiting dissimilar uses from locating on adjacent properties that are zoned differently and contain an inter-parcel connection. As stated in the previous response, Section 3-907 (A)

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of the Zoning Ordinance states, "To the maximum extent feasible, land development applications shall identify opportunities and methods for shared access and inter-parcel linkages." This section of the Zoning Ordinance clearly advocates for inter-parcel connections to adjacent properties.

3. The existing Gum Springs Road cannot be included as part of the yard. Please provide a 100' building setback and a 75' parking yard for a Minor Arterial and remove the parking located within the yard.

Applicant Response:

The revised layout no longer includes Gum Spring Road as part of the side yard. The Applicant does, however, disagree with Staff's interpretation of existing Gum Spring Road as an arterial roadway. As stated in the Revised Countywide Transportation Plan, dated July 23, 2001, and the proposed revisions to the Revised Countywide Transportation Plan, dated May of 2007, Gum Spring Road south of Route 50 and north of Tall Cedars Parkway, is considered a local road and is not subject to the additional setback restrictions listed in Section 5-900 of the Revised 1993 Zoning Ordinance. Additionally, it should be noted that if this comment is meant to address the West Spine Road that bisects the property, the Revised Countywide Transportation Plan and its proposed revisions identify this road as a major collector, which associates with this designation a 75 foot building setback and 35 foot parking setback. The applicant's revised layout complies with these setback restrictions.

4. Pursuant to Section 5-659, the drive through bank needs an escape lane.

Applicant Response:

The Special Exception Plat has been revised to delineate an escape lane for the drive through bank.

5. Per Section 3-907(H) provide pedestrian access within the parcel.

Applicant Response:

The revised Special Exception Plat now delineates pedestrian access throughout the site.

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III. ADDITIONAL COMMENTS

1. In the Statement of Justification on page 2, the restaurant is 3,191 sq. ft. The plat shows 5,005 sq. ft. Please correct the discrepancy.

Applicant Response:

The Special Exception Plat and Statement of Justification have been revised to include the correct square footage for the restaurant, which is now listed at 5,000 square feet. Other square footage revisions include: an increase to 43,000 square feet of office and 18,000 square feet of retail sales establishment in the mixed use building, which now totals 61,000 square feet; and a decrease to 18,862 square feet of flex-industrial and an increase to 10,125 square feet of office in the flex-industrial/office building, which now totals 28,987 square feet.

2. According to County records the parcel has 20.06 acres/873,813.6 sq. ft. Please use this to calculate the FAR and Open Space. Page 3 of the Statement of Justification needs to be updated.

Applicant Response:

The Special Exception Plat and Statement of Justification have been revised accordingly.

3. Sheet One of the plat, the yards adjacent to roads needs to be updated (35' building, 25' parking), along with the building height (45') to reflect the amendments to the Revised 1993 Zoning Ordinance.

Applicant Response:

The Special Exception Plat has been revised accordingly.

4. Note #18 on Sheet One needs to include a note in conformance with canopy coverage per Section 5-1300. A note needs to be provided stating parking will be in conformance with Section 5-1100.

Applicant Response:

The Special Exception Plat has been revised accordingly.

5. On Sheet One, what is the "Proposed lot area" and why is it different from the "Total Site Area"?

Applicant Response:

These two figures differ based on their sources. The "Proposed Lot Area" was listed based on available public records, whereas the "Total Lot Area" was listed based on a field run survey of the property. The Special Exception Plat has been revised to only list the public records acreage for the area calculation of the property. There is also a reference to the field run survey area calculation included in Note #3 on the Special Exception Plat.

6. On Sheet Two, change the restaurant parking to 15 per 1000 to reflect the amended Ordinance.

Applicant Response:

The Special Exception Plat has been revised accordingly.

7. On Sheet Two, please measure the 35' line along West Spine Road (both sides). The 35' yard line is not to scale on the south side of the unmarked road. Please show the 25' parking yard.

Applicant Response:

The Special Exception Plat has been revised accordingly; however a 35-foot parking yard is shown along the West Spine Road in accordance with the setback requirements for a major collector.

8. Please label all roads.

Applicant Response:

The Special Exception Plat has been revised accordingly.

9. Please label the car wash. A "Detail Bay" is not a use listed in the Zoning Ordinance. Please provide the area of the individual gas pump, convenience store, and car wash.

Applicant Response:

The car wash and detail bay have been removed from the Special Exception Plat. The area of the convenience store is provided, but the Applicant questions the purpose of providing the area of the individual gas pumps.

10. Please explain the entrance feature. An entrance feature is not defined in the Ordinance.

Applicant Response:

The entrance feature will eventually serve as an entrance sign for the property. To avoid confusion, the entrance feature label has been revised to read "sign location".

11. The inter-parcel access connection along the existing Gum Spring Road shown on SPEX 2006-0037 Community Corner Special Exception plat is not shown. Please show this connection.

Applicant Response:

The Special Exception Plat has been revised accordingly.

LOUDOUN COUNTY OFFICE OF TRANSPORTATION SERVICES (Art Smith, Senior Coordinator, 12/27/07)

Background

The applicant is seeking a special exception for the following land uses:

7,020 sf	Convenience Store with gas pumps and car wash
5,005 sf	Restaurant
18,000 sf	Retail
4,500 sf	Bank with drive through
130,378 sf	By-Right Use (Flex Industrial, Office, Hotel, Conference Center)

The project site consists of approximately 20.2 acres. It is bounded on the north by Route 50 and on the west by existing Route 659, Gum Spring Road. The future West

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Spine Road south of Route 50 will run between the east and west sections of the property. Please see Attachment 1, Project Site Location.

Project Trip Generation

The proposed land uses would generate 7,422 daily weekday vehicle trips including 525 in the AM peak hour and 820 in the PM peak hour. There are currently 3,025 daily weekday trips which would be generated due to by-right development. The proposed development thus represents a 4,397 daily vehicle trips increase.

Existing, Programmed and Planned CTP Transportation System

Route 50, John Mosby Highway is currently a four-lane median divided minor arterial along the frontage of the proposed project. Ultimately, it is planned in the CTP to be expanded to a six-lane major arterial in a 200-foot right-of-way. This segment of Route 50 is planned to become limited access with an interchange located at the future temporary intersection of Route 50/West Spine Road. The interchange is planned to be a diamond format.

The West Spine Road (Route 606 Extended) is planned to ultimately be a six-lane median divided major collector as it passes through the site. It will have a four-lane interim section and likely a two-lane short term condition. Required right-of-way is 120 feet plus right-of-way required for turn lanes. Bicycle/Pedestrian facilities need to be provided proximate to this road.

Existing Route 659, Gum Spring Road, is currently a two-lane major collector road between Route 50 and Tall Cedars Parkway. This section is planned to be severed by a cul-de-sac whose location is yet to be determined. It will therefore no longer serve through movements. Segments of existing Route 659 south of Route 50 and north of Tall Cedars Parkway may be abandoned once the cul-de-sac is constructed.

Existing and Forecast Traffic Volumes and Service Levels

Existing peak hour and daily weekday traffic volumes are shown on Attachment 2. Daily traffic volumes (ADT) on Route 50 are approximately 19,940 ADT west of Gum Spring Road and 27,090 east of Gum Spring Road. Gum Spring Road immediately south of Route 50 has approximately 11,090 ADT. South of Tall Cedars Parkway the road's ADT is approximately 10,590. Please note Attachment 2 also shows existing lane use and traffic control. The intersection of Route 50/Route 659 is currently signalized. The intersection of Tall Cedars Parkway/Route 659 is currently under stop sign control. Existing peak hour service levels are shown on Attachment 3. An inadequate LOS E exists during AM and PM peak hours at the Route 50/Route 659 intersection.

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Forecasted year 2010 total peak hours and daily weekday traffic volumes, including vehicle trips from this proposed project are shown on Attachment 4 as is a proposed year 2010 road network. Forecasted peak hour 2010 service levels are shown on Attachment 3. However, please be cautioned that service levels will depend on what road network is actually in place by 2010. Please see Issue 1 which follows.

Transportation Issues

1. Attachment 5 shows Future (2010) Lane Use and Traffic Control as assumed in the applicant's traffic study. This network will not be in place and must be adjusted to provide adequate service level forecasts. As of now the only certain short-term access to this site is the local interparcel road running from this through the Gum Springs Commercial Center to existing Route 659. Consistent with the approvals of the Gum Springs Commercial Center and Community Corner to the south this would allow currently approved by-right development on the site. LOS at the Route 659 intersection would likely be F during peak hours if by-right development builds out without major road improvements.

Based on information currently available to OTS the following represents the likely road network which would be in place by 2010:

- a. Two lanes of the West Spine Road are likely to be in place between Tall Cedars Parkway and Route 50. They are being constructed by private sector proffer. (Please note a small section of right-of-way still needs to be dedicated from the Kim Property for this improvement to occur). If only these two-lanes are in place VDOT staff prefers they be operated as northbound lanes of the future four lane West Spine Road.
- b. With only 2 northbound lanes of the West Spine Road in operation it would not be possible to sever Existing Gum Spring Road from Route 50. Instead Gum Spring Road would need to continue to operate as a two lane road, VDOT staff saying one northbound lane, one southbound lane.
- c. The West Spine Road will not be in place north of Route 50 by 2010 in conformance with the approved phasing on the Arcola Center ZMAP.
- d. There are proffers for the addition of the third eastbound and westbound lanes on Route 50. Since a CPAP has been submitted for the third eastbound lane and review is proceeding it is likely it will be in place. The timing on construction of the third westbound lane is not certain and cannot be assumed to be in place.

An addendum should be prepared to the traffic study analyzing service levels for the road network likely to be in place in 2010. This study may indicate phasing of the project may be needed until such time as the two southbound lanes on the West Spine

Road are completed between Route 50 and Tall Cedars Parkway to provide adequate LOS. Scoping of the addendum with the applicant and VDOT would be welcomed by OTS.

Applicant Response:

As noted in the attached updated traffic study and confirmed with County and VDOT staff in the March 5, 2008 letter contained in Appendix E of the updated study, these elements were noted and incorporated into the updated traffic study.

2. The applicant should dedicate land sufficient to accommodate the ultimate southbound lanes of the West Spine Road between Route 50 and Tall Cedars Parkway including land necessary for a right turn lane into the inter-parcel public road. This right-of-way should be dedicated before zoning permits are issued for any development on the site.

Applicant Response:

It is the Applicant's intention to provide this right-of-way for the West Spine Road.

3. The entity which has proffered initial two lanes of the West Spine Road is not responsible for the construction of a median crossover at the West Spine Road and the interparcel local road. The role/obligations of this applicant in providing these intersection improvements needs to be clarified.

Applicant Response:

As mentioned in the previous response, it is the Applicant's intention solely to provide right-of-way for the West Spine Road at this time. No role/obligation for providing the construction of a median crossover has been determined at this time.

4. The applicant's traffic study shows a traffic signal is needed at the West Spine Road/Interparcel Road intersection. The applicant should provide this signal when warranted.

Applicant Response:

Acknowledged.

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5. Land should be reserved for a future diamond format interchange at Route 50/West Spine Road. The interchange area reserved by Gum Springs Commercial Center can be used as a guide. Please note the third eastbound Route 50 lane is being built in the median and additional right-of-way is not required.

Applicant Response:

Land for the reservation of a future diamond format interchange at Route 50/West Spine Road is provided in the landscape buffer. The Applicant notes that the third eastbound Route 50 lane is being built in the median and additional right-of-way is not required.

6. The applicant's responsibilities for providing a multi-purpose trail along the West Spine Road need to be clarified. Such a trail could be within public right-of-way or a private easement.

Applicant Response:

Right-of-way for a multi-purpose trail is provided in the revised Special Exception Plat.

7. There appears to be no pedestrian facilities at all on site. Appropriate pedestrian facilities should be provided.

Applicant Response:

Appropriate pedestrian facilities are shown in the revised Special Exception Plat.

8. The location and funding responsibilities for the future cul-de-sac on existing Route 659 south of Route 50 needs further discussion. OTS does not object to the location shown in the applicant's traffic study provided right-of-way can be obtained and it is constructed at no cost to the public. It is noted the applicant's desires to abandon existing Route 659 along their frontage. OTS does not object providing the cul-de-sac issue is resolved. Please note that assuming the abandonment, the alignment shown for existing Route 659 to Tall Cedars Parkway in the traffic study is impossible.

Applicant Response:

Acknowledged. It should be noted that the attached updated traffic study assumes that if existing Gum Spring Road were to terminate in a cul-de-sac, right-in/right-out access at U.S. Route 50 would be maintained and access from existing Gum Spring Road to Tall Cedars Parkway would be abandoned.

Conclusion

OTS will offer a recommendation once it has reviewed the applicant's responses to our comments. We recognize that the transportation problems in the vicinity of this application are complex and are willing to meet with the applicants, their neighbors and VDOT as necessary to determine equitable solutions.

VIRGINIA DEPARTMENT OF TRANSPORTATION (Thomas B. Walker, Sr. Transportation Engineer, 12/5/07)

We have reviewed the above noted application as requested in your October 26, 2007 transmittal and we offer the following comments.

1. Table 1, under 2010 PM Proposed Special Exception scenario for the intersection of West Spine Plaza access and West Spine Road, the NB movement should be a LOS C with delay of 19.6. Furthermore, the Synchro file shows a "Min Error." Please fix the Synchro and report the correct LOS and delay in the table.

Applicant Response:

This has been corrected and updated in the attached study.

2. Table 1, the ADT for Bank use should be 1109.

Applicant Response:

This has been corrected and updated in the attached study.

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3. In the Synchro files, By-Right AM for WBR at the intersection of Rt. 50 and West Spine is incorrectly inputted as 458. Please modify to show 151 vehicles for this movement.

Applicant Response:

This has been corrected and updated in the attached study.

4. Figure 6 – 2010 Special Exception volumes, some of the movements at the intersection of West Spine Road and West Spine Plaza access show a decrease comparing to the 2010 Approved Zoning volumes. Given that the proposed special exception generates significantly more volume, the expectation is to see an increase in volume especially at the access point to the site. Please verify the accuracy of these volumes.

Applicant Response:

This has been corrected and updated in the attached study, although it should be noted that some individual movements may actually experience decreases in volumes between the two scenarios due to the differences in development mix and placement on the site.

5. The study has determined the need for a dual eastbound left turn lane at the intersection of Rt. 50 and West Spine. However, there is only a proffer, by Van Metre, for a single left turn lane at this intersection. Please include verbiage as how the additional required left turn lane would be incorporated.

Applicant Response:

Sufficient land area has been provided for the additional left turn lane. It should be noted that this improvement is necessary with or without the special exception proposed for West Spine Plaza.

6. Figure 6 – The left turn volume on some movements along the network is close or exceeds 300 vph. Additionally Synchro indicates excessive 95th percentile queue lengths for some of these movements. We recommend performing a left turn lane analysis to determine the required number of left turn lanes at the intersections. These movements include:
- a. eastbound left at the intersection of West Spine Plaza access and West Spine Road,
 - b. southbound left at the intersection of West Spine Plaza access and West Spine Road (pending recalculation of volumes as a result of comment 4, above),
 - c. northbound left at the intersection of Tall Cedars Parkway and West Spine Road, and
 - d. eastbound left at the intersection of Tall Cedars Parkway and West Spine Road.

Applicant Response:

The lane use proposed on the eastbound and westbound approaches of the West Spine Plaza access at the West Spine Road are intended to function as de-facto left turn lanes since no through volumes are anticipated. Queues would be accommodated within the site. In addition, a single southbound left turn lane would accommodate the anticipated site traffic with the installation of a signal at this intersection.

No site trips are anticipated to utilize Tall Cedars Parkway and are not forecasted to utilize the northbound or eastbound left movements at its intersection with Gum Spring Road. Further, these improvements are currently proffered in conjunction with other developments and would be necessary with or without the special exception proposed for West Spine Plaza.

**LOUDOUN COUNTY SANITATION AUTHORITY (Julie Atwell, Engineering
Administrative Specialist, 11/7/07)**

The Sanitation Authority has reviewed the referenced Special Exception application and offers no objection to the proposed use. Should offsite easements be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority.

Public water and sanitary sewer service would be contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Design Standards.

Applicant Response:

The Applicant will comply with Loudoun Water's Statement of Policy; Rates, Rules and Regulations; and Design Standards.

LOUDOUN COUNTY HEALTH DEPARTMENT, DIVISION OF ENVIRONMENTAL HEALTH (John P. Dayton, Sr. Env. Health Specialist, 11/16/07)

This Department reviewed the plat, prepared by Huntley Nyce & Associates revised 7/27/07, and recommends approval with the following comments/conditions to the proposal.

1. All the proposed lots and structures are properly served by public water and public sewer.

Applicant Response:

The lot and all of its structures will be served by public water and sewer.

LOUDOUN COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY MANAGEMENT (Maria Figueroa Taylor, Fire-Rescue Planner, 12/7/08)

Thank you for the opportunity to review the above-captioned application. The Fire and Rescue Planning Staff, in agreement with the Fire Marshal's Office, has no objection to the application as presented. Staff respectfully requests however, that the Applicant would consider providing emergency vehicle access to the rear of building C.

Applicant Response:

The redesign of the site now provides for emergency access to building C.

**LOUDOUN COUNTY DEPARTMENT OF BUILDING AND DEVELOPMENT,
ENVIRONMENTAL REVIEW TEAM (William Marsh, ERT Leader, 12/14/07)**

The Environmental Review Team (ERT) has comments pertaining to the current application, as follows:

1. No verifiable best management practice (BMP) treatment of stormwater emanating from this highly impervious site is indicated with this plan, as required by Section 6-1310(H) of the Revised 1993 Zoning Ordinance. The general location of a stormwater pond area on sheet 2 is likely too small to adequately treat stormwater quality and quantity. Please provide a clearer, more verifiable commitment to protecting surface water quality, as required by checklist item H.

Applicant Response:

As previously stated, the Applicant will provide at the site plan stage of review a detailed stormwater management design that will integrate low impact development (LID) techniques such as extended detention and sediment forebays to compensate for the loss of the palustrine forested wetland areas and will serve to protect the surface water quality of the site.

2. This plan proposes 48 more parking spots than are required by the Zoning Ordinance for these uses. Staff recommends removing these extra parking spaces and using the created space for bioretention basins that would treat stormwater runoff from impervious surfaces. Approximately 7,700 square feet of bioretention basin area – roughly 48 parking spaces – can treat one inch of storm runoff from over 3.5 acres of impervious surface, per Minimum Standard 3.11 of the Virginia Stormwater Management Handbook. Besides providing a superior means of meeting checklist item H, this approach would also enable groundwater replenishment, consistent with checklist item M.

Applicant Response:

As previously stated, the parking requirements listed in the Zoning Ordinance, in certain instances, do not reflect the retail market reality of the amount of parking spaces that are required for certain uses. In this instance, the flex-industrial, office, gas station, and bank uses require additional spaces to meet the market demand. With that said, the Applicant has reduced it's overall parking space count from 703 spaces to 665 spaces, which is now just 22 more spaces than required by the Zoning Ordinance. Despite an increase in the site's square footage, this parking reduction will still meet the anticipated parking demand

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while respecting and addressing the environmental concerns raised by staff. Additionally, the low impact development (LID) techniques such as extended detention and sediment forebays will help compensate for the additional parking spaces.

3. Staff encourages application of green building standards with this application. This commitment is consistent with the General Water Policies supporting long-term water conservation (Policy 1, Page 2-20), the Solid Waste Management Policies supporting waste reduction, reuse, and recycling (Policy 2, Page 2-23), and the Air Quality Policies supporting the creation of pedestrian and bicycle facilities (Policy 1, Page 5-41). Furthermore, the County encourages project designs that ensure long-term sustainability, as discussed in the Suburban Policy Area, Land Use and Pattern Design text (Page 6-2). As of June 2007, the East Gate development on Route 50 registered 42,000 square feet of retail use for certification under Leadership in Energy and Environmental Design (LEED), referenced at <http://www.usgbc.org/LEED/Project/RegisteredProjectList.aspx>

Accordingly, staff recommends that the design and construction of this application incorporate LEED traits into some or all of the proposed uses.

Applicant Response:

The following narrative is provided in a letter from DCI Construction Management, Inc., dated July 29, 2008:

In light of today's need to reduce the effects of development on the environment, it is the intent of DCI Construction Management, Inc. as the project developer to implement, where economically feasible, "LEED" traits into the project. It is early in the process and we will diligently pursue this end.

The six major categories of LEED certification are:

- ***SUSTAINABLE SITES – We will work with the design team to create a plan that meets today's needs and can be flexible to work with the goals of the future.***
- ***WATER EFFICIENCY – Water efficient fixtures, flow devices on all water sources, and individually sub-metered spaces are some potential LEED traits that will be implemented in the design of the buildings. Storm Water Management will be designed in a way that complements the natural environment.***
- ***ENERGY AND ATMOSPHERE – Alternative heating and cooling sources will be used where feasible. We will avoid the discharge of gases into the***

air. Energy efficient windows, doors, building design and roofs will be used in the project.

- ***MATERIALS AND RESOURCES – Environmentally friendly materials will be utilized where possible. Recycled materials, natural materials, and the disposal of waste materials will be carefully studied and incorporated into the project where possible.***
- ***INDOOR ENVIRONMENTAL QUALITY – Reduced glare glazing, sound deadening assemblies, and other HVAC, electrical, and mechanical systems will be utilized in this project.***
- ***INNOVATION AND DESIGN PROCESS – A LEED certified professional will be in place to help guide the design team and contractors to implement as many LEED traits as possible.***

It is DCI Construction Management's intention to meet as many of the required prerequisites and credits of the LEED certification process as possible. DCI Construction Management, Inc. is presently working toward LEED professional certification and will provide this newly gained knowledge and our past experience to this exciting project.

4. The application proposes complete removal of existing, forested vegetation. Staff recommends incorporating existing hardwoods into buffers adjacent to Route 50 and the proposed West Spine Road. Evergreens may also be retained for buffering, exclusive of Virginia Pine over 25 years of age. Preservation of existing vegetation is consistent with landscaping requirements for Type 5 buffers along Route 50. It also fulfills Forest, Trees, and Vegetation Policy 7 of the Revised General Plan (RGP).

Applicant Response:

The Applicant has revised the site layout to provide tree save areas.

5. The application proposes complete removal of existing wetland and stream habitat. For any unavoidable impacts to wetlands or waters of the U.S., mitigation should occur in close proximity to the development, consistent with Policy 23 in Chapter 5, page 5-11, of the RGP.

Applicant Response:

The site layout now incorporates as much of the existing stream/wetland area on the west side of the Spine Road as possible into the site's stormwater

management system. The unavoidable impacts to wetlands or waters of the U.S. will be mitigated as consistently as possible with the Revised General Plan.

6. Given the need for overnight accommodations similar to residential uses, the proximity of the proposed uses to Route 50 (a planned Principal Arterial) and West Spine Road (a planned Major Collector), and the location of the parts of the project within the Ldn 60 airport noise buffer, staff recommends that a commitment be provided to perform a traffic noise study and a building shell analysis prior to occupancy to ensure that interior noise levels do not exceed 45 decibels consistent with the Noise Policies of the Revised Countywide Transportation Plan (Page 4-7) and the Airport Noise Policies of the Revised General Plan (Page 5-46).

Applicant Response:

Overnight accommodations such as hotels have not previously been considered similar to residential uses in hotel special exception applications located in Ldn Airport noise buffers. A commitment to perform a traffic noise study and building shell analysis prior to occupancy is not supported by prior special exception application conditions and is unnecessary.

7. Staff is embarking on a project to map and inventory wetlands located within Loudoun County. We are requesting that the development community contribute digital data to this effort. Specifically, a digital data layer depicting the Corps-approved wetland delineation (including jurisdictional waters and wetlands), including the delineation of the respective study limits, is requested. Loudoun County's GIS uses ESRI software and can import .DXF data. Our coordinate system is Virginia State Plane. Datum NAD 83 data is preferable, if available. Metadata on the digital data (e.g., map scale, age, etc.) is also helpful. The requested information is currently depicted on the plan; however, if this information cannot be provided prior to approval of the special exception application, staff recommends that a commitment be provided indicating when this information will be submitted to the County.

Applicant Response:

The Applicant is agreeable to providing a digital data layer depicting the Corps-approved wetland delineation (including jurisdictional waters and wetlands), including the delineation of the respective study limits.

Due to the scope of the comments provided, staff requests an opportunity to review the subsequent submission of this application. Please contact me if you need any additional information.

Please feel free to contact me if you have any questions or comments concerning this referral response.

Sincerely,

WALSH, COLUCCI, LUBELEY, EMRICH &
WALSH, P.C.



Michael Romeo, AICP
Land Use Planner

Enclosures: Revised Special Exception Plat, dated July 30, 2008
Revised Traffic Impact Analysis, dated July 29, 2008
Revised Statement of Justification, dated July 29, 2008
DCI Construction Management, Inc. Letter, dated July 29, 2008 (text is included in this letter; a hard copy is forthcoming)
Revised Architectural Renderings (forthcoming)

cc: Charles Yudd, Deputy County Administrator
Danny Davis, County Administration
James Forster, DCIM Construction Management
Sam Vaid, Sarswati, LLC
William J. Keefe, AICP, Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
Reza Hakimi, Huntley, Nyce & Associates, LTD
James W. Watson, Wells & Associates, LLC
J. Randall Minchew, Esq., Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.

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